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**ANNUAL REPORT ON  
INTERNATIONAL RELIGIOUS  
FREEDOM 2002**

REPORT

SUBMITTED TO THE

COMMITTEE ON FOREIGN RELATIONS

OF THE

U.S. SENATE

AND THE

COMMITTEE ON  
INTERNATIONAL RELATIONS

OF THE

U.S. HOUSE OF REPRESENTATIVES

BY THE

DEPARTMENT OF STATE

IN ACCORDANCE WITH SECTION 102 OF THE INTERNATIONAL  
RELIGIOUS FREEDOM ACT OF 1998

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NOVEMBER 2002

Printed for the use of the Committees on Foreign Relations of the U.S. Senate and International Relations of the U.S. House of Representatives, respectively



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## FOREWORD

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The report on international religious freedom contained herein was prepared by the Department of State in accordance with Section 102 of the International Religious Freedom Act of 1998.

The report is printed to assist Members of Congress in the consideration of legislation, particularly foreign assistance legislation.

JOSEPH R. BIDEN, Jr.,

*Chairman, Committee on Foreign Relations.*

HENRY HYDE,

*Chairman, Committee on International Relations.*



## LETTER OF TRANSMITTAL

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U.S. DEPARTMENT OF STATE,  
WASHINGTON, DC, *October 7, 2002.*

Hon. JOSEPH R. BIDEN, Jr.,  
*Chairman, Committee on Foreign Relations,*  
*U.S. Senate.*

DEAR MR. CHAIRMAN:

On behalf of Secretary of State Colin Powell, I am very pleased to transmit to Congress the *Annual Report on Religious Freedom 2002*. This report is prepared in compliance with Section 102 of the International Religious Freedom Act. It covers events from July 1, 2001 to June 30, 2002.

We sincerely hope that this report is helpful. Please let us know if we can be of further assistance.

Sincerely,

PAUL V. KELLY,  
*Assistant Secretary, Legislative Affairs.*

Enclosure.



## PREFACE

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### ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM 2002

#### WHY THE REPORTS ARE PREPARED

This report is submitted to the Congress by the Department of State in compliance with Section 102(b) of the International Religious Freedom Act (IRFA) of 1998. The law provides that the Secretary of State, with the assistance of the Ambassador at Large for International Religious Freedom, shall transmit to Congress "an Annual Report on International Religious Freedom supplementing the most recent Human Rights Reports by providing additional detailed information with respect to matters involving international religious freedom." This Annual Report includes 195 reports on countries worldwide.

#### HOW THE REPORTS ARE PREPARED

In August 1993, the Secretary of State moved to strengthen the human rights efforts of our embassies. All sections in each embassy were asked to contribute information and to corroborate reports of human rights violations, and new efforts were made to link mission programming to the advancement of human rights and democracy. In 1994 the Bureau of Human Rights and Humanitarian Affairs was reorganized and renamed as the Bureau of Democracy, Human Rights, and Labor, reflecting both a broader sweep and a more focused approach to the interlocking issues of human rights, worker rights, and democracy. In 1998 the Secretary of State established the Office of International Religious Freedom. In May 2002, John V. Hanford, III was sworn in as the second Ambassador at Large for International Religious Freedom.

The 2002 Report covers the period from July 1, 2001, to June 30, 2002, and reflects a year of dedicated effort by hundreds of State Department, Foreign Service, and other U.S. Government employees. Our embassies, which prepared the initial drafts of the reports, gathered information throughout this period from a variety of sources, including government and religious officials, nongovernmental organizations, journalists, human rights monitors, religious groups, and academics. This information-gathering can be hazardous, and U.S. Foreign Service Officers regularly go to great lengths, under trying and sometimes dangerous conditions, to investigate reports of human rights abuse, monitor elections, and come to the aid of individuals at risk because of their religious beliefs.

After the embassies completed their drafts, the texts were sent to Washington for careful review by the Office of Country Reports and Asylum Affairs in the Bureau of Democracy, Human Rights, and Labor, working closely with other State Department Offices and the Office of the Ambassador at Large for International Religious Freedom, who has ultimate responsibility for the Report on behalf of the Secretary of State. As they worked to corroborate, analyze, and edit the reports, the Department officers drew on their own sources of information. These included reports provided by U.S. and other human rights groups, foreign government officials, representatives from the United Nations and other international and regional organizations and institutions, and experts from academia and the media. Officers also consulted with experts on issues of religious discrimination and persecution, religious leaders from all faiths, and experts on legal matters. The guiding principle was to ensure that all relevant information was assessed as objectively, thoroughly, and fairly as possible.

The Report will be used as a resource for shaping policy, conducting diplomacy, and making assistance, training, and other resource allocations. As mandated by the IRFA, it also will be used as a basis for decisions on determining countries that have engaged in or tolerated "particularly severe violations" of religious freedom.

Countries involved in these and other violations according to the IRFA are not identified as such in this report, but have been and will be engaged independently by the U.S. Government. The Report also will serve as a basis for the U.S. Government's cooperation with private groups to promote the observance of the internationally recognized right to religious freedom.

#### A WORD ON USAGE

In many cases, the International Religious Freedom Report states that a country "generally respects" the right of religious freedom. The phrase "generally respects" is used because the protection and promotion of human rights is a dynamic endeavor; it cannot accurately be stated that any Government fully respects these rights, without qualification, in even the best of circumstances. Accordingly, "generally respects" is the standard phrase used to describe all countries that attempt to protect religious freedom in the fullest sense. "Generally respects" is thus the highest level of respect for religious freedom assigned by this report.

## INTRODUCTION

---

Religious freedom, one of the most fundamental of human rights, is a liberty long championed by the United States and cherished by the American people. It is the policy of the United States Government to promote religious freedom worldwide, for every human being, regardless of religion, race, culture or nationality. Our policy is designed to encourage other nations to adhere to international standards of human rights and to promote fundamental U.S. concerns and values. While historically part of our overall human rights policy, the promotion of religious liberty as a foreign policy goal was given increased emphasis with the passage of the 1998 International Religious Freedom Act, which mandated this Annual Report.

### THE U.S. COMMITMENT TO RELIGIOUS FREEDOM

There are several reasons why the United States promotes religious freedom. First, the quest for religious liberty has played an integral part in American history. Early in our nation's founding, the view that every human being has a fundamental right to believe, worship and practice according to his or her own conscience became a core conviction of the American people. Religious liberty is the first of the enumerated rights in our Constitution, and is known as "the first freedom," because the founders believed it to be a lynchpin of democracy and the other fundamental human rights.

Its realization was not easily achieved. Today Americans enjoy religious freedom, but it was not always so. Our history is not perfect, and yet that very history makes us all the more determined to protect what has been won. It makes us doubly determined to help those millions of people beyond our borders who suffer because of their faith. Indeed, as in past centuries, many of those who champion this liberty most passionately are new Americans who arrived as refugees fleeing religious persecution in their native lands.

Second, religious freedom is universal in its importance and applicability. It is one of those "unalienable rights" acknowledged in our own Declaration of Independence—a right not granted by governments, but rather the birthright of every human being, in every nation and every culture. This truth is acknowledged in the most important of all the international human rights instruments, the 1948 Universal Declaration of Human Rights, which notes that "all human beings are born free and equal in dignity and rights." Accordingly, all are endowed with the right to "freedom of thought, conscience and religion."

Implicit in this language is a concept vital to the acceptance of human rights, including religious liberty. It is the belief in a common human nature that transcends cultural, racial, religious and other distinctions. The United Nations representatives of 1948 had witnessed in Nazism, and to a lesser extent in colonial regimes, a malevolent focus on racial and cultural differences. They were determined to articulate the existence of a human family comprised of persons equally endowed with dignity and worth irrespective of race, culture, religion, income or any other distinction.

Third, the promotion of religious freedom is intimately connected to the promotion of other fundamental human and civil rights, as well as to the growth of democracy. A government that acknowledges and protects freedom of religion and conscience is one that understands the inherent and inviolable dignity of the human person. Such a government is far more likely to protect, through rule of law, the other rights fundamental to human dignity, such as freedom from arbitrary arrest or seizure, or freedom from torture and murder.

Such a government is also more likely to protect the rights most closely associated with religious freedom, such as freedom of expression, freedom of association and assembly, and the rights of parents to raise their children in their faith. Together, these rights constitute the seedbed of democratic development. They encourage not only the institutions and procedures of democracy, such as representative government and free elections, but also the virtues of democracy, including a government

and citizenry that value and nurture human dignity. When the United States promotes religious freedom, it is promoting the spread of democracy. More democracy means greater stability and economic prosperity.

Finally, U.S. religious freedom policy is a means of fighting the war on terrorism. The events of September 11, 2001 have had significant implications for that policy. The attacks by Al Qaeda highlighted the reality that people can and do exploit religion for terrible purposes, in some cases manipulating and destroying other human beings as mere instruments in the process. This is, unfortunately, not a new phenomenon in human affairs. In the post Cold War world, some scholars are predicting that religious differences are likely to be a cause of major conflicts between civilizations.

Whether such theories are borne out or not, 9/11 has raised the stakes for U.S. religious freedom policy. To the extent that policy succeeds, it will provide one of the most effective and sustainable antidotes, not only to religious persecution and discrimination, but also to religion-based violence and a potential “clash of civilizations.”

The reason is straightforward: where governments protect religious freedom, and citizens value it as a social good, religious persecution and religion-based violence find no warrant. Such societies not only tolerate religious differences, but many of its members see the exercise of religious devotion as constitutive of human freedom and dignity. They understand, as President Bush has stressed both here and abroad, that religious faith at its best yields productive, charitable citizens and stable societies. They also understand that to deprive persons of the right to religious liberty is to deny them their humanity in the most profound sense. At the heart of liberty is the right to ask the fundamental questions about the origins, nature, value and destiny of human life, and to worship and live in accord with the obligations that ensue.

#### THE OFFICE OF INTERNATIONAL RELIGIOUS FREEDOM

The Office of the Ambassador at Large for International Religious Freedom has now completed its fourth year. Formed in the summer of 1998, the Office has the mission of promoting religious freedom worldwide. The Ambassador is charged with the responsibility of serving as the Principal Advisor to the President and the Secretary of State on matters of international religious freedom.

The Ambassador and his staff monitor the worldwide status of religious persecution and discrimination and devise strategies to reduce the abuses. Just as importantly, they develop strategies to promote religious freedom, both to attack the root causes of persecution and as a means of promoting other fundamental U.S. interests, such as protecting other core human rights, encouraging the development of mature democracies, and fighting the war against terrorism.

These strategies are carried out in a variety of ways, using the range of diplomatic tools available, including both formal and informal bilateral negotiations with foreign government authorities; participation in multilateral fora such as the United Nations and the Organization of Security and Cooperation in Europe; cooperation with human rights and faith-based NGO's; and meetings with victims of persecution. Often the Ambassador and staff, along with other U.S. officials, engage in direct intervention in a particular crisis to remove people of faith from harm's way or to forestall further persecution.

In all cases, the Office, which is staffed with experienced Foreign Service and Civil Service officers, works closely with its counterparts elsewhere in the State Department, the U.S. Government, and in U.S. missions overseas. U.S. Foreign Service officers abroad form the front line of our religious freedom policy. Many of their activities, and those of the Office of International Religious Freedom, are discussed in Part III of the Executive Summary. Some of their actions, however, must necessarily remain out of the spotlight in order to protect those involved.

#### THE ANNUAL REPORT

The mission of the Ambassador at Large was framed by the International Religious Freedom (IRF) Act of 1998, which also prescribed the Annual Report on International Religious Freedom, of which this is the fourth edition. The purpose of the Annual Report is to establish a baseline of fact about the status of religious freedom worldwide, both to illuminate the problems that exist and to provide a primary source for U.S. religious freedom policy. The first three editions have generally been criticized by violator governments, but hailed by human rights NGO's as the standard worldwide reference on religious persecution.

As I begin my term as the second U.S. Ambassador at Large for International Religious Freedom, I wish to thank all the employees of the Department of State here

and abroad who have made this report possible. In particular, I want to acknowledge the dedicated work of our human rights officers throughout the world, as well as the members of the Office of Country Reports and Asylum Affairs at the State Department, who have worked long and hard to craft this report. I also want to express appreciation for the bipartisan and deep support that Congress has demonstrated on this issue. Finally, I wish to thank my own staff in the Office of International Religious Freedom, whose commitment to religious freedom for all people is exemplary.

This fourth Annual Report on International Religious Freedom is submitted in furtherance of our goal of promoting and protecting religious freedom for all.

JOHN V. HANFORD III,  
*Ambassador at Large for International Religious Freedom.*



## EXECUTIVE SUMMARY

---

In 1948 the General Assembly of the United Nations adopted the Universal Declaration of Human Rights (UDHR), which declared “the inherent dignity and—the equal and inalienable rights of all members of the human family.” The Declaration noted that “disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind.” It proclaimed as one of mankind’s highest aspirations the advent of a world in which people enjoyed freedom of belief. In Article 18, the UDHR declared that “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.” (See Appendix A.)

Today there are several international agreements obligating nations to respect religious freedom. (See Appendix B.) The vast majority of the world’s governments have committed themselves through these agreements to protect the right of religious freedom for everyone who lives within their respective borders.

And yet, despite these widely accepted international instruments protecting religious freedom, there remains in some countries a substantial difference between commitment and practice. Much of the world’s population lives in countries in which the right to religious freedom is restricted or prohibited. This unacceptable gap between word and deed is explainable at several levels.

The most troubling explanation is the continued existence of totalitarian or authoritarian regimes that are determined to control religious belief and practice. The result is persecution. Some regimes are hostile to minority or “unapproved” religions, while others tolerate, and thereby encourage, persecution or discrimination. Although acts of violence against religious minorities may have several causes—for example, ethnicity or a perceived security threat—multicausality does not necessarily diminish the significance of religion. Some governments—often either democratic or aspiring to democracy—have adopted discriminatory legislation or policies that give preference to favored religions while disadvantaging others.

Some democratic states in Western Europe have undertaken policies resulting in the stigmatization of minority religions, the result of identifying them indiscriminately and often inaccurately with dangerous “sects” or “cults.” These practices are particularly troubling in that other nations struggling toward democracy, as well as certain non-democratic states, are adopting “anti-cult” laws and policies that are based in part on those of Western Europe. In non-democratic nations, lacking a tradition of commitment to human rights and rule of law, “anti-cult” laws could easily be implemented in ways that result in the persecution of people of faith.

The practice of requiring religious groups to register before they can engage in activities such as worship is, by its nature, subject to abuse by local jurisdictions, even in cases where it is designed by central authorities to be applied in a non-discriminatory fashion. Nor should a legitimate concern over the destructive and unlawful behavior by a small number of groups be employed so indiscriminately that religions are wrongfully stigmatized.

This report does not neglect the effect of history, culture, and tradition on religious freedom policies. A particular religion may have dominated the life of a nation for centuries, making more difficult the acceptance of new faiths that offer challenges in both cultural and theological terms. However, tradition and culture should not be used as a pretext for laws or policies that restrict genuine religious belief or its legitimate manifestation. International covenants allow legal restrictions on religious practice, but they must be applied scrupulously and fairly, in as limited a way as possible, without discriminating among religions.

Ultimately, each nation’s policies and practices regarding religious freedom must be measured against international norms. The United States acknowledges its own responsibility with respect to these norms in the safeguarding and protection of religious liberty.

The Executive Summary consists of three parts. Part I identifies many of the countries where religious freedom is restricted and classifies their actions and policies into five categories. Part II provides examples of nations whose governments have taken steps to promote or protect religious freedom, even though in most cases serious problems remain in those countries. Part III illustrates actions the U.S. Government has taken to encourage other nations to promote religious freedom.

Readers should note that some countries are mentioned in more than one part of the summary, according to the type of action or situation being reported. Within Part I, several of the countries could be listed in more than one of the five categories; however, in the interest of brevity, a given country is listed only once, in the category that best characterizes the fundamental barriers to religious freedom in that country.

## PART I: BARRIERS TO INTERNATIONAL RELIGIOUS FREEDOM

### TOTALITARIAN OR AUTHORITARIAN ATTEMPTS TO CONTROL RELIGIOUS BELIEF OR PRACTICE

Totalitarian and authoritarian regimes are defined by the high degree to which they seek to control thought and expression, especially dissent. Such regimes tend to regard some or all religious groups as enemies of the state because of the religion's content, the fact that the very practice of religion threatens the dominant ideology (often by diverting the loyalties of adherents toward an authority beyond the state), the ethnic character of the religious group or groups, or a mixture of all three. When one or more of these elements is present, the result often is the suppression of religion by the regime.

*Burma.* The Government continued to view religious freedom in the context of threats to national unity. Through its pervasive internal security apparatus, the Government generally infiltrated or monitored the meetings and activities of virtually all organizations, including religious organizations. The Government subjected all publications, including religious publications, to control and censorship and sometimes prohibited outdoor meetings. Government authorities continued to show preference for Theravada Buddhism, the majority religion, while at the same time controlling the organization and restricting the activities and expression of its clergy. The Government systematically restricted efforts by Buddhist clergy to promote human rights and political freedom, discouraged and sometimes prohibited minority religions from constructing new places of worship, and in some areas coercively promoted Buddhism over other religions. There were credible reports that the country's armed forces forcibly converted hundreds of Christian tribal Nagas to Buddhism. Anti-Muslim violence continued, and there were reports that restrictions on Muslim travel and worship increased.

*China.* Unapproved religious and spiritual groups remained under scrutiny and, in some cases, harsh repression. The Government continued to restrict religious practice to government-sanctioned organizations and registered places of worship, and to control the growth and scope of the activity of religious groups to prevent the rise of possible sources of authority outside of the control of the Government. The Government continued, and in some places intensified, a national campaign to enforce regulations that require all places of religious activity to register with government religious affairs bureaus and come under the supervision of official, "patriotic" religious organizations. As in past years, the Government moved against houses of worship outside its control that grew too large or espoused beliefs that it considered threatening to state security. Police closed "underground" mosques, temples, and seminaries, as well as large numbers of Catholic churches, and Protestant "house churches," many with significant memberships, properties, financial resources, and networks, and banned groups that it considered to be "cults." Leaders of unauthorized groups, in particular, are often the targets of harassment, interrogation, detention, and physical abuse, including torture. Members of these groups also may be subject to such treatment. The Government continued its harsh repression of Falun Gong and other groups that it considered "heretical cults." Various sources report that thousands of Falun Gong adherents have been arrested, detained, and imprisoned, and that several hundred Falun Gong adherents have died in detention since 1999. In Tibet, the level of religious repression remained high, and the Government's record of respect for religious freedom remained poor. Religious practice faced ongoing restrictions, but overall these restrictions were less harshly enforced than during the previous year. Police continued their crackdown on Muslim religious activity and places of worship accused of supporting separatism in the Xinjiang Uighur Autonomous Region. Some Uighurs and other Muslims accused the

Government of using the ongoing war against terrorism as an excuse to intensify the repression of religious activity in Xinjiang.

*Cuba.* The Government continued its efforts to maintain a strong degree of control over religion. Citizens worshiping in officially sanctioned churches often were subject to surveillance by state security forces. The Government refused to register most new denominations, and unregistered religious groups continued to experience varying degrees of official interference, harassment, and repression. Although it is legal to construct new churches, the Government rarely authorized such construction, forcing many churches to seek permits to meet in private homes. The ability of churches to run schools, train religious workers, and print religious material was either prohibited or severely restricted.

*Laos.* In spite of some limited improvements, religious freedom continued to be restricted. The Lao People's Revolutionary Party (LPRP) and the Government maintained their narrow interpretation of the constitutional provision for religious freedom, thus inhibiting religious practice by all persons, especially those belonging to minority religions, particularly Christianity, that fall outside of the mainstream Buddhism. Although official pronouncements accept the existence of different religions, they emphasize the potential to divide, distract, or destabilize. All religious groups, including Buddhists, practiced their faith in an atmosphere in which the application of the law was arbitrary. Many officials appeared to interpret the constitution to prohibit any religious activities involving proselytizing or conversion, and to view Christianity in particular, as creating societal divisions. Officials in some localities continued to attempt to force believers to renounce their faith. Government authorities closed several dozen churches, but a small number of other churches that had been closed in recent years were allowed to reopen. There were 19 known religious prisoners or detainees, all Christians, at the end of the period covered by this report. (Note: Nine of these prisoners were released in July, soon after the end of the reporting period.)

*North Korea.* The Government continued to suppress organized religious activity except that of officially recognized groups linked to the Government. Faith-based and human rights groups outside the country provided numerous reports that members of underground churches have been beaten, arrested, or killed. Witnesses have testified that prisoners held on the basis of their religious beliefs generally received harsher treatment than that of other inmates. Those who proselytize or who have ties to overseas evangelical groups operating across the border with China appear to have been arrested and subjected to harsh penalties, including death, according to several reports. While difficult to confirm, the collective weight of anecdotal evidence of harsh treatment of unauthorized religious activity lends credence to such reports.

*Vietnam.* The Government continued to restrict activities of religious groups that it declared to be at variance with state laws and policies. Restrictions on the hierarchies and clergy of such groups remained in place, and the Government maintained supervisory control of the recognized religions. Groups faced difficulties in training and ordaining clergy, and in conducting educational and humanitarian activities. There were credible reports that in past years Hmong Protestant Christians in several northwestern villages were forced by local authorities to recant their faith. Hmong Protestants were also charged with practicing religion illegally and jailed for up to 3 years for "abusing freedom of speech, press, or religion." There were reports that officials fabricated evidence, and that some of the provisions of the law used to convict religious prisoners contradicted international instruments such as the Universal Declaration of Human Rights. According to credible reports, the police arbitrarily detained persons based on their religious beliefs and practice, particularly in the mountainous, ethnic minority areas.

#### STATE HOSTILITY TOWARD MINORITY OR NONAPPROVED RELIGIONS

Some governments, while not necessarily determined to implement a program of control over minority religions, nevertheless are hostile to certain ones or to factions of religious groups identified as "security threats." These governments implement policies designed to intimidate certain groups, cause their adherents to convert to another faith, or cause their members to flee.

*Iran.* Government actions continued to create a threatening atmosphere for some religious minorities. All such groups suffered varying degrees of officially sanctioned discrimination, particularly in the areas of employment, education, and housing. The Government fueled anti-Baha'i and anti-Jewish sentiment for political purposes. Baha'is, Jews, Christians, Mandaeans, and Sufi Muslims reported imprisonment,

harassment, or intimidation based on their religious beliefs. At least four Baha'is were among those still imprisoned for reasons related to their faith, while eight Jews remained in prison after being convicted for cooperating with a hostile government, belonging to an illegal organization, and recruiting members in an illegal organization. The property rights of Baha'is generally were disregarded. Laws based on religion were used to stifle freedom of expression. Independent newspapers and magazines were closed and leading publishers and journalists imprisoned on vague charges of "insulting Islam" or "calling into question the Islamic foundation of the Republic."

*Iraq.* The Government continued its systematic and vicious policies against Shi'as. It severely restricted or banned many Shi'a religious practices and conducted—as it has for decades—a brutal campaign of murder, summary execution, arbitrary arrest, and protracted detention against Shi'a religious leaders and adherents. The regime has desecrated Shi'a mosques and holy sites, disrupted Shi'a religious ceremonies, and interfered with Shi'a religious education. It has banned the broadcast of Shi'a programs on government-controlled radio or television and the publication of Shi'a books. There were also reports that the Government engaged in various abuses against the country's Assyrian and Chaldean Christians, especially in terms of forced movements from northern areas and repression of political rights.

*Pakistan.* The Government failed to protect the rights of religious minorities, due both to public policy and to its unwillingness to take action against societal forces hostile to those that practice a different faith. Acts of sectarian and religious violence continued during the period covered by this report. The worst religious violence was directed against the country's Shi'a minority, who continued to be disproportionately victimized in individual and mass killings. The practice of the Ahmadi faith continued to be restricted severely by law, and Ahmadi individuals and institutions were frequent victims of religious violence, much of which was instigated by organized religious extremists. A number of massacres in mosques and churches, including an attack on a church in Islamabad that left five persons dead, two of them foreign nationals, brought into question the Government's ability to prevent sectarian and religious violence. The Government continued the use of the "Hudood" Ordinances, which apply different standards of evidence to Muslims and non-Muslims and to men and women for alleged violations of Islamic law. The Government also kept blasphemy laws in force, which personal rivals and the authorities used to threaten, punish, or imprison Ahmadis, Christians, and orthodox Muslims.

*Saudi Arabia.* Freedom of religion does not exist in Saudi Arabia. The Government requires all citizens to be Muslim and prohibits all public manifestations of non-Muslim religions. Islamic practice generally is limited to that of a school of the Sunni branch of Islam as interpreted by Muhammad Ibn Abd Al-Wahhab, an 18th-century Arab religious reformer, and practices contrary to this interpretation are suppressed. Members of the Shi'a minority continued to face institutionalized political and economic discrimination, including restrictions on the practice of their faith, and many Shi'a sheikhs remained in detention.

The Government has stated publicly that it recognizes the right of non-Muslims to worship in private; however, the distinction between public and private worship is not defined clearly, in effect forcing most non-Muslims to worship in a manner such as to avoid discovery. Several Christians were detained for non-Muslim worship and almost always deported after sometimes lengthy periods of arrest, during which some received lashings. The Government refused to permit clergy members to enter the country to conduct non-Muslim religious services, placing groups such as Catholics and Orthodox Christians who must have a priest on a regular basis to practice their faith at a particular disadvantage. Customs officials confiscated or censored materials considered offensive, including Bibles and religious videotapes. In certain areas, both the Mutawwa'in (religious police) and religious vigilantes harassed, assaulted, and detained citizens and foreigners.

*Sudan.* The Government's conduct of the 19-year civil war was largely responsible for abuses in violation of humanitarian norms: the burning and looting of villages, the starving of thousands of southerners, and the killings, rapes, and arbitrary arrests and detentions of civilians, most of whom were Christians or practitioners of traditional indigenous religions. The Government also continued the intentional bombings of civilian targets. The forced abduction of women and children and the taking of slaves by slave raiders supported by the Government in war zones continued. The victims in the villages largely were Christians or practitioners of traditional indigenous religions. Some of these victims from Christian and other non-Muslim families were converted forcibly to Islam. There were reports that Islamic

NGO's in war zones withheld other services, such as medical and food aid, from the needy unless they converted to Islam. There also were reports that Christian NGO's used their services to pressure persons to convert to Christianity.

The Government's recognition of Islam as the state religion contributed to an atmosphere in which non-Muslims were treated as second-class citizens throughout the country. In government-controlled areas of the south, there continued to be credible evidence of favoritism towards Muslims and an unwritten policy of Islamization of public institutions, despite an official policy of local autonomy and federalism. Registration, obligatory for all religious groups, reportedly was very difficult to obtain, particularly for evangelical Christian groups. The Government continued to deny permission for the construction of Roman Catholic churches.

*Turkmenistan.* The Government continues to place restrictions on religious expression. A law on religious organizations requires that religious groups must have at least 500 members in each locality in which they wish to register in order to gain legal status with the government. The only religions that have successfully registered under the law are Sunni Islam and Russian Orthodox Christianity, which are controlled by the Government. The Government severely limits the activities of nonregistered religious congregations by prohibiting them from gathering publicly, proselytizing, and disseminating religious materials. The Government's interpretation of the law severely restricts the freedom to meet and worship in private. Several members of minority faiths were deported.

Some observers have speculated that official restrictions on religious freedom, a holdover from the Soviet era, reflect the Government's concern that liberal religious policies could lead to political dissent, including in particular the introduction of Islamic extremist movements into the country. The Government appears to view participation in or sponsorship of nontraditional religions as a threat to the stability and the neutrality of the State.

*Uzbekistan.* The Government permits the existence of mainstream religions; however, it continued its harsh campaign against unauthorized Islamic groups it suspected of anti-State sentiments or activities. Christian churches generally are tolerated as long as they do not attempt to win converts among ethnic Uzbeks. A number of minority religious groups, including congregations of a variety of Christian confessions, the Baha'i faith, and Hare Krishna, had difficulty satisfying the strict registration requirements set out by the law. The law, which is among the most restrictive in Central Asia, prohibits or severely restricts activities such as proselytizing, importing and disseminating religious literature, and offering religious instruction. Other prohibited activities include organizing an illegal religious group and persuading others to join such a group. Any religious service conducted by an unregistered religious organization is illegal. The law prohibits groups that do not have a registered religious center from training religious personnel. In practice, these restrictions override almost all freedoms recognized by international norms. The criminal and civil codes contain stiff penalties for violating the religion law and other statutes on religious activities.

#### STATE NEGLECT OF THE PROBLEM OF DISCRIMINATION AGAINST, OR PERSECUTION OF, MINORITY OR NONAPPROVED RELIGIONS

In some countries, governments have laws or policies to discourage religious discrimination and persecution but fail to act with sufficient consistency and vigor against violations of religious freedom by nongovernmental entities or local law enforcement officials.

*Bangladesh.* Despite the fact that the Constitution guarantees citizens the right to practice the religion of their choice, police often were slow to assist members of religious minorities who were victims of crimes, thereby contributing to an atmosphere of impunity. An increase in crime and violence after the October 2001 elections exacerbated this situation and increased perceptions of the vulnerability of religious minorities. The number of Hindus, Christians, and Buddhists who perceived discrimination increased.

*Belarus.* Head of State Alexander Lukashenko continued to pursue a policy of favoring the Russian Orthodox Church, the country's majority religion, and authorities increased harassment of other denominations and religions. The regime denied registration to some religious groups on the grounds that they were "nontraditional" and also to all religious groups considered to be "sects." Protestant denominations continued to come under attack in the government-run media. On June 27, the lower house of Parliament gave its final approval to a new law on religion that if implemented would impose further restrictions on religious freedom. The bill awaits

consideration by the upper house in the fall. Restitution of religious property seized during the Soviet and Nazi occupations remained limited.

*Egypt.* There was a trend toward improvement in the Government's respect for and protection of religious freedom. However, the Government continued to prosecute persons, including Muslims, for unorthodox religious beliefs and practices under the charge of "insulting heavenly religions." The approval process for church construction continued to be time-consuming and insufficiently responsive to the wishes of the Christian community. Christian representatives maintained that security forces have blocked them from utilizing permits that have been issued, and that local security officials at times blocked or delayed permits for repairs to church buildings. The 1960 decree that banned Baha'i institutions and community activities and confiscated all Baha'i community properties was still in force. Government discrimination against non-Muslims exists in the public sector.

*Georgia.* The status of religious freedom deteriorated during the period covered by this report. Local police and security officials at times harassed nontraditional religious minority groups. Police failed to respond to continued attacks by Orthodox extremists, largely followers of Basil Mkalavishvili and members of the Jvari organization, against Jehovah's Witnesses and other nontraditional religious minorities. In most cases local law enforcement agents actually participated in or facilitated the attacks, which increased in frequency and violence, with impunity. On the few occasions in which investigations into such attacks have been opened, they have proceeded very slowly. No one has been convicted or sent to prison for participating in these violent attacks.

*Guatemala.* The Government has made little progress towards implementing the 1995 Agreement on the Identity and Rights of Indigenous Peoples, which provides for the respect of spiritual rights of indigenous people. The Agreement calls for Congress to pass legislation to amend the Constitution in order to "recognize, respect, and protect the distinct forms of spirituality practiced by the Maya, Garifuna, and Xinca" groups. While there is no government policy of discrimination, a lack of resources and political will to enforce existing laws and to implement the Peace Accords continued to limit the free expression of indigenous religious practice.

*India.* Muslims were the victims of sustained communal violence in the state of Gujarat in March and April 2002. Ostensibly sparked by communal violence directed against Hindus, the violence highlighted the continuing difficulties faced by religious minorities. On February 27, 2002, Muslim mobs attacked a train in Godhra, Gujarat, carrying Hindu activists returning from Ayodhya, the site of a 500-year-old mosque demolished by a Hindu mob in 1992; 2 train cars were set on fire and 58 passengers were killed. In response, Hindu mobs in Gujarat and Maharashtra destroyed Muslim businesses, raped Muslim women, and killed at least 950 Muslims; the unofficial death toll was significantly higher. According to credible observers, the Gujarat fighting was aggravated by official inaction and, in some cases, involvement. The hostility against Muslims in Gujarat reflected tensions within the governing coalition, which is led by the Bharatiya Janata Party, a Hindu nationalist party with links to Hindu chauvinist groups implicated in the past to attacks against religious minorities. The growing aggressiveness of Hindu extremists also seems to be the major contributing factor to societal discrimination and occasional acts of violence against Christians by Hindus in Gujarat and elsewhere in India.

*Indonesia.* Religious violence and the lack of an effective government response to punish perpetrators and prevent further attacks continued to lead to allegations that officials were complicit in some of the violence or, at a minimum, allowed it to occur with impunity. The Government at times tolerated the abuse of freedom of religion, claiming that it did not have the capacity or authority to deal with the "emotions" of private individuals or groups who target others because of their beliefs. In both Central Sulawesi and the Moluccas, lax law enforcement and the limited nature of efforts to disarm Muslim fighters allowed conflicts, caused in part by religious motives, to continue despite peace agreements. Some members of military and police units were accused of siding with their coreligionists, both Muslim and Christian, and supporting combatants, either directly or indirectly. Religiously motivated violence elsewhere, mainly on the island of Java, also included threats and occasional attacks on entertainment establishments such as restaurants, bars, and nightclubs by radical Muslim groups that deemed such businesses to be immoral. The Government took no action against the perpetrators of such attacks and some observers linked the police to the radical groups.

*Nigeria.* The implementation of an expanded version of Shari'a (Islamic law) in several northern states challenged constitutional protections of religious freedom. In March 2002, Justice Minister Kanu Agabi made public a letter to northern governors in which he stated that sentences given under Shari'a law should not be harsher than those imposed by general secular law; however, no action resulted from this letter. Interreligious tension between Christians and Muslims remained high, and there were several violent ethno-religious conflicts, including in September 2001 in Plateau State, which resulted in the deaths of more than 2,300 persons. Many northern states continued to ban or limit public proselytizing, although it is permitted by the Constitution. In addition, in many states government officials sometimes discriminated against adherents of minority religions in hiring practices, awarding of state contracts, and granting of permits and licenses.

#### DISCRIMINATORY LEGISLATION OR POLICIES DISADVANTAGING CERTAIN RELIGIONS

Some governments have implemented laws or regulations that favor certain religions and place others at a disadvantage. Often this circumstance results from the historical predominance of one religion in a country and may reflect broad social skepticism about new or minority religions. At times it stems from the emergence of a country from a long period of Communist rule, in which all religion was prohibited or, at best, out of favor. In such countries, skepticism or even the fear of certain religions or all religions lingers within segments of society. In some cases, this circumstance has led to a curtailment of religious freedom.

*Brunei.* Despite constitutional provisions providing for the exercise of religious freedom, the Government continued to restrict the practice of non-Muslim religions. Non-Muslims were not allowed to proselytize. The Government also occasionally denied entry to foreign clergy or particular priests, bishops, or ministers, and refused permission to expand, repair, or build new churches, temples, or shrines. The Government banned the importation of religious teaching materials or scriptures. In government schools, Muslim and non-Muslim female students were required to wear Muslim attire, including a head covering.

*Eritrea.* In May 2002, the Government notified all religious groups that they must register or cease all religious activities. The notice further advised that applications received for registration would be reviewed by a Government committee and approved if the committee deemed them to be compatible with Eritrean culture. At the end of June 2002, a final determination on which groups would be approved had not been made, but comments from senior government officials indicated that only groups with significant historical ties to Eritrea would be licensed to operate. The Government also continued its discrimination against Jehovah's Witnesses.

*Israel and the Occupied Territories.* Most Israeli non-Jewish citizens, chiefly Muslims, Druze, and Christians, continued to be subject to various forms of discrimination, some of which has a strong religious dimension. Government funding to various religious sectors tended to favor Jewish citizens. Many Jewish citizens objected to the fact that, as a result of Israeli law and policy, Orthodox Jewish religious authorities have exclusive control over Jewish marriages, divorces, and burials. Societal tensions between Jews and non-Jews increased significantly, primarily as a result of the Arab-Israeli conflict and ongoing violence and terrorism. In the occupied territories, the violence and the Israeli Government's closure policy prevented a number of Palestinians and Israelis, including Palestinian religious leaders, from reaching their places of worship in Jerusalem and the West Bank.

*Jordan.* The Government continued to deny the Druze and Baha'i faiths recognition as official religions but did not prohibit the practice of these faiths. Druze faced official discrimination but did not complain of social discrimination. Baha'is faced both official and social discrimination. Moreover, there reportedly were at least 39 cases of U.S. citizen children residing in Jordan against the will of their U.S. citizen mothers. According to the law, these children are considered Muslim if their fathers are Muslim, and the Muslim father of the child may restrict the child's travel.

*Malaysia.* Islam is the official religion, and the practice of Islamic beliefs other than Sunni Islam was restricted significantly. The Government continued to monitor the activities of the Shi'a minority and periodically detained members of what it considers Islamic "deviant sects" without trial or charge. The Government generally respected non-Muslims' right of worship; however, state governments carefully controlled the building of non-Muslim places of worship and the allocation of land for non-Muslim cemeteries. After the November 1999 national elections, the Government significantly expanded efforts to restrict the activities of the Islamic opposition party at mosques. Several states announced measures including banning

opposition-affiliated imams from speaking at mosques, more vigorously enforcing existing restrictions on the content of sermons, replacing mosque leaders and governing committees thought to be sympathetic to the opposition, and threatening to close down unauthorized mosques with ties to the opposition. For Muslims, particularly ethnic Malays, the right to leave the Islamic faith and adhere to another religion remained a controversial question, and in practice it was very difficult to change religions.

*Moldova.* The Government continued to uphold its earlier decisions to deny certain groups registration. It cited Article 15 of the Law on Religion, which prohibits registration of what it calls “schismatic movements” of a particular religion, as the basis for its decision not to recognize these groups. A number of minority religious groups in the separatist region of Transnistria continued to be denied registration and subjected to official harassment.

*Russia.* The Government continued to use several aspects of the 1997 Law on Freedom of Conscience to restrict religious freedom, in particular the provision allowing the state to ban religious organizations, the re-registration requirement, the liquidation procedure, and the 15-year rule. Although the federal government generally attempted to apply the 1997 law liberally, the Government denied visas and visa renewals to a number of clergy and religious workers, especially Roman Catholics and evangelical Christians. The declaration of one of only four Roman Catholic Bishops in Russia as *persona non grata* placed serious restrictions on the ability of Russian Catholics to practice their religion. Many allegations of restrictive practices and harassment were directed at local officials and the Federal Security Service. Muslims, the largest religious minority, continued to encounter societal discrimination and antagonism in some areas. Anti-Semitic leaflets, graffiti, and articles continued to appear in some regions, such as St. Petersburg, Ryazan, and Krasnodar. Hostility toward “nontraditional” religious groups reportedly sparked occasional harassment and even physical attacks.

*Turkey.* Despite constitutional guarantees of religious freedom, the Government continued to impose some restrictions on religious groups, particularly through other constitutional provisions regarding the integrity and existence of the secular State. In addition, the Government maintained some restrictions for the stated reason of combating religious fundamentalism. An intense debate continued over the government ban on wearing Muslim religious dress in state facilities, including universities, schools, and workplaces. Some Muslims, Christians, and Baha’is faced government harassment for alleged proselytizing or unauthorized meetings.

STIGMATIZATION OF CERTAIN RELIGIONS BY WRONGFULLY ASSOCIATING THEM WITH DANGEROUS “CULTS” OR “SECTS”

There continues to be a trend in Western Europe regarding discriminatory legislation or policies that stigmatize certain expressions of religious faith by wrongfully associating them with dangerous “sects” or “cults.” Other nations are adopting similar laws and policies that are based in part on those of Western Europe. In countries that lack a tradition of commitment to human rights and rule of law, such “anti-cult” laws are prone to be implemented in ways that result in the persecution of people of faith.

*Belgium.* Policies regarding religious “sects” in Belgium have created government-mandated agencies providing information on “harmful” organizations. The existence of these agencies strongly suggests an official judgment by the government that the groups on which it maintains data are in fact “harmful.”

*France.* The government continues to monitor “sects” through the Interministerial Mission in the Fight against Sects/Cults (MILS). Members of some of the 173 groups identified as cults in a 1996 parliamentary commission report have alleged instances of intolerance due to the ensuing publicity. The June 2001 “About-Picard” law tightens restrictions on organizations and lists criminal activities for which a religious association could be subject to dissolution. Leaders of the four major religions raised concerns about the legislation. There is also concern that countries with weaker protections for human rights, including some in eastern Europe and Asia, may look to the French legislation as a model for dealing with minority religions, a perception heightened by the interest shown in the French approach during travel by MILS officials to these countries.

*Germany.* “Sect Filters” focused on Scientology are used by some localities and private firms in hiring and/or contracting. These practices give rise to a climate of discrimination and may cause financial losses for individuals and companies.

## PART II: SIGNIFICANT IMPROVEMENT IN THE AREA OF RELIGIOUS FREEDOM

The International Religious Freedom Act prescribes a section of the Executive Summary that identifies countries in which there has been a “significant improvement in the protection and promotion” of religious freedom and includes a description of the nature of the improvement as well as an analysis of the factors contributing to it.

*Afghanistan.* The fall of the Taliban and the subsequent establishment of the interim governments resulted in a major improvement in religious freedom. The ultra-conservative, Islamic state system created by the Taliban collapsed following the onset of Operation Enduring Freedom in October 2001. In its place, an interim governing body now administers a far more tolerant regime. Under the Taliban, a repressive government system based on an extremist interpretation of Islam unremittently persecuted anyone of different faiths and those who were not deemed to be sufficiently “good Muslims.” The new interim government has publicly stated a policy of religious tolerance. In the post-Taliban environment, religious minorities such as Shi’a, Hindus and Sikhs have all reported tolerance of their presence and practice. All were represented at the Loya Jirga. The Shi’a are represented in the Government by a Vice President and several Ministers. A constitutional commission will soon construct a new constitution for Afghanistan, and guarantees for religious freedom as well as the role of Islam in the state remain contentious questions for the commission and for the people of Afghanistan.

Other countries have taken positive steps in the area of religious freedom, but none have risen to the standard of “significant improvement” as stipulated in the International Religious Freedom Act. The reader may find a discussion of positive steps, where warranted, in the respective country chapters.

## PART III: U.S. ACTIONS TO PROMOTE INTERNATIONAL RELIGIOUS FREEDOM

In general the best public method of promoting religious freedom is to advocate the universal principles—in particular the inviolable dignity of the human person—that are nourished when religious freedom is valued and protected. Throughout the world, our overseas diplomatic missions are our front line in promoting the right of religious freedom and opposing violations of that right. No less important is the tone and context set by senior U.S. officials when they speak publicly on the subject of religious freedom, or privately with foreign heads of government and other policy makers.

## THE YEAR IN REVIEW

This section summarizes some of the many efforts undertaken by the President and various other representatives of the U.S. Government to promote religious freedom. Most of the actions included here are indicative of the constant endeavor of the U.S. Government to engage foreign governments and peoples on the issue of religious freedom. Rarely is a single action sufficient to produce a significant change in a particular government’s repressive or discriminatory policy; yet through its steadfast promotion of religious freedom, the U.S. Government pursues the goal of universal respect for and observance of the freedom of belief.

President Bush has made it clear that he views religious freedom as a fundamental and inviolate human right, and in his discussions with foreign leaders has repeatedly emphasized the importance the United States places on protecting this fundamental freedom. In February 2002, the President gave a speech in Beijing that was broadcast nationwide, during which he declared, “Freedom of religion is not something to be feared, it’s to be welcomed.”

The Secretary of State and many senior State Department officials have addressed the issue in venues throughout the world. U.S. Government representatives raised religious freedom issues at the highest levels of government and in multilateral fora, such as the 58th Session of the United Nations Commission on Human Rights in April 2002, where the U.S. supported resolutions on Iran and religious freedom, including the mandate of the special rapporteur for religious freedom. The Principal Deputy Assistant Secretary for Democracy, Human Rights and Labor made a strong intervention at the OSCE Implementation Meeting in September 2001, during which he urged OSCE states to respect religious freedom. The Assistant Secretary of State for European and Eurasian Affairs reinforced U.S. defense of religious freedom with the President of Azerbaijan in January 2002.

Members of the Department of State’s Office of International Religious Freedom traveled to several countries during the period covered by this report to discuss religious freedom issues—Azerbaijan, Bangladesh, Bosnia, Bulgaria, China and Tibet, Croatia, Georgia, the Former Yugoslav Republic of Macedonia, Mexico, Russia, Tur-

key, and Vietnam. The Director of the Office of International Religious Freedom co-headed the U.S. delegation to a United Nations conference on religious freedom and secondary school education in Madrid in November 2001.

The 1998 International Religious Freedom Act mandates Presidential action in cases of particularly egregious violations of religious freedom. Thus in October 2001, the Secretary of State, acting under the authority of the President, re-designated five countries—Burma, China, Iran, Iraq, and Sudan—as “countries of particular concern” under the Act for having engaged in or tolerated particularly severe violations. In addition, the Secretary designated North Korea a “country of particular concern” and again identified the Taliban regime of Afghanistan as having committed particularly severe violations of religious freedom.

This section is by no means exhaustive; rather, it is intended to provide by way of illustrative examples a portrait of U.S. actions. Further details may be found in the individual country chapters.

*Afghanistan.* In October 2001, the U.S. Government and international coalition forces combined with Northern Alliance forces to overthrow the Taliban regime. The U.S. and the international community worked together with Afghan opposition officials to create the Bonn Agreement in December 2001. The U.S. has worked steadily with interim governments in the months since to promote human rights and religious and ethnic tolerance, from the inclusion of minority groups in the Government and military, to assistance in the reconstruction of the country and its legal and political processes.

The Secretary of State identified the Taliban regime, which controlled most of Afghanistan until October 2001, as a “particularly severe violator” of religious freedom in 2001, for the third consecutive year.

*Azerbaijan.* The Ambassador repeatedly conveyed U.S. concerns about the registration process with the Chairman of the State Committee for Work with Religious Associations and expressed strong concerns about Azerbaijan’s commitment to religious freedom with others in the Government and publicly in the press. Embassy officials also frequently expressed objections to media campaigns against the Adventist Development and Relief Agency and other U.S.-funded NGO’s accused of religious proselytizing. The Assistant Secretary of State for European and Eurasian Affairs reinforced U.S. defense of religious freedom with President Heydar Aliyev in January 2002. A representative from the State Department’s Office of International Religious Freedom traveled to Azerbaijan in April 2002 to convey the Department’s concerns about the reregistration process and the media campaigns against minority religions. She also met with members of Muslim, Jewish and Christian faiths to hear their concerns.

*Bangladesh.* The Embassy encouraged the Government through the Ministry for Religious Affairs to develop and expand its training program for Islamic religious leaders, which provides course work for religious leaders on human rights, HIV/AIDS, and gender equality issues. A representative from the State Department’s Office of International Religious Freedom traveled to Bangladesh in May 2002 to interview representatives of religious minorities regarding their perception that violence against them had increased during the reporting year.

*Belarus.* Embassy representatives had frequent contacts with leaders and members of religious groups and worked with representatives of the Organization for Security and Cooperation in Europe to promote religious freedom. Officials of the Department of State met on a number of occasions with representatives of the Government of Belarus in Washington, D.C. to advocate respect for religious freedom and to address other human rights concerns.

*Burma.* The United States has discontinued bilateral aid to the Government, suspended issuance of licenses to export arms to the country, and suspended the generalized system of preferences and Export-Import Bank financial services in support of U.S. exports to the country. The U.S. Government also has suspended all Overseas Private Investment Corporation (OPIC) financial services in support of U.S. investment in the country, ended active promotion of trade with the country, and halted issuance of visas to high government officials and their immediate family members. It also has banned new investment in the country by U.S. firms, opposed all assistance to the Government by international financial institutions, and urged the governments of other countries to take similar actions.

The Secretary of State identified Burma as a “country of particular concern” in 2001, for the third consecutive year.

*China.* The U.S. Government made a concerted effort to encourage greater religious freedom in the country, using both focused advocacy against abuses and sup-

port for positive trends within the country. In February 2002, President Bush gave a speech at Tsinghua University in Beijing that was broadcast nationwide, during which he called upon the Government to show more religious tolerance. Embassy and Consulate officials collected information about abuses and maintained contacts with a wide spectrum of religious leaders within in the country's religious communities, including with bishops, priests, ministers of the official Christian churches, and Taoist, Muslim, and Buddhist leaders. U.S. Government officials also met with leaders and members of the unofficial Christian churches. The U.S. Government brought a number of Chinese religious leaders and scholars to the United States on international visitor programs to see firsthand the role that religion plays in U. S. society, and sent experts on religion from the United States to speak about the role of religion in American life and public policy.

The Secretary of State identified China as a "country of particular concern" in 2001, for the third consecutive year.

*Georgia.* Senior U.S. Government officials, including the Ambassador, met with President Shevardnadze and other senior government officials, such as the Parliament Speaker and the Ministers of Internal Affairs and Justice, to raise U.S. Government concerns regarding harassment of and attacks against nontraditional religious minorities. In April 2002, Senator Gordon Smith, a member of the U.S. Commission on Security and Cooperation in Europe, harshly criticized unpunished religious persecution in Georgia and called upon the Government to vigorously prosecute extremists who attacked nontraditional religious minorities. The Commission followed up with a letter signed by 15 Senators calling on Shevardnadze to end violence against groups of religious minorities in Georgia. A visiting representative from the State Department's Office of International Religious Freedom met in April 2002 with members of the Government, various religious confessions, and NGO's to underscore the need for the Government of Georgia to put an end to religious violence.

*India.* Reacting to the communal violence in Gujarat, the Ambassador and other senior Administration officials publicly expressed regret, extended condolences to the victims, and urged all parties to resolve their differences peacefully. In addition, the U.S. Agency for International Development (USAID) mission in New Delhi provided funding to assist internally displaced persons in Gujarat. Mumbai's Consul General traveled regularly to Ahmedabad, Gujarat's largest city, to meet with officials and private citizens about the causes and effects of the violence. As rioting continued, other officers from the Consulate General in Mumbai traveled to the state to assess the situation and to look into accusations of human rights abuses. Consulate officers also met in Mumbai with a range of NGO, business, media and other contacts, including Muslim leaders, to monitor the aftermath of the violence in Gujarat.

*Indonesia.* U.S. Embassy and Consulate General officials identified and assisted several Indonesians to testify on religious freedom before the U.S. Commission on International Religious Freedom (USCIRF) and advised the USCIRF of potential issues. The U.S. Embassy and the U.S.-Indonesian Fulbright Foundation have been helping to establish the country's first graduate-level program on comparative religion to foster competence in religious studies among educators and to increase inter-religious understanding on college and university campuses. USAID also continued its support to dozens of religiously affiliated NGO's in an effort to assist the democracy movement within the Muslim community.

*Iran.* From 1982 to 2001, the U.S. Government cosponsored a resolution each year regarding the human rights situation in Iran offered by the European Union at the annual meeting of the UN Commission on Human Rights. The United States has supported a similar resolution offered each of those years during the UN General Assembly. The U.S. Government has supported the work of the UN Special Representative on Human Rights for Iran and called on the Iranian Government to grant him admission and allow him to conduct his research.

The Secretary of State identified Iran as a "country of particular concern" in 2001, for the third consecutive year.

*Iraq.* It is the policy of the United States to encourage a change of regime in Iraq. The U.S. Government has made its position clear in public statements and in diplomatic contacts with other states. The President discussed the problems experienced by Shi'a, Christian, and other religious groups in his periodic reports to Congress on Iraq. The Assistant Secretary of State for Near Eastern Affairs, in testimony before Congress on Iraq, highlighted the situation of persons in the south.

The Secretary of State identified Iraq as a “country of particular concern” in 2001, for the third consecutive year.

*Kenya.* U.S. Government officials made a concerted effort to bridge the gaps that exist between Muslims and Christians. The Ambassador hosted regular meetings with religious leaders to discuss issues affecting their communities. In April 2002, the Ambassador and senior Embassy officers traveled to Mombasa to meet with civil society, religious, and government leaders of the predominantly Muslim coast to promote a better understanding of U.S. policy and to reassure those with whom he met that the global fight against terrorism was not directed against Islam.

*Laos.* The Ambassador spoke directly with the President and other high officials about the state of religious freedom in Laos. Other Embassy officers raised the issue of religious freedom with a range of central and provincial officials. The Embassy supported and encouraged the January 2002 visit of the President of the Institute for Global Engagement (IGE) to survey the status of religious freedom. During this visit, the IGE President traveled to the Lao Evangelical Church communities in northern Vientiane province. The visit led to the reopening of several churches in the area that had been closed by local authorities. In June 2002, at the invitation of the IGE, a delegation from the Lao Front for National Construction, the LPRP organization responsible for oversight of religious practice, traveled to the U.S. to discuss religious freedom in Laos with U.S. government officials, members of Congress, and others interested in the issue.

*Mexico.* U.S. Government officials encouraged the Government to continue its policy of promoting religious freedom. Embassy staff participated in the Secretariat of Government’s celebration of the International Day of Tolerance in November 2001, and met with officials in the Subsecretariat for Religious Affairs within the Secretariat of Government to discuss religious freedom. In April 2002, a representative from the Office of International Religious Freedom, accompanied by Embassy officials, met with several religious leaders and government officials in Mexico City and the state of Chiapas, including the current and past Bishops of San Cristobal de las Casas and Chiapas state authorities.

*Nigeria.* The U.S. Government, through the U.S. Embassy and in statements by officials in Washington, continued to encourage a peaceful resolution to the Shari’a issue and urged that human rights and religious freedom be respected in any resolution. The Office of Transition Initiatives and the USAID also created programs for conflict resolution training. The Embassy sponsored the visit of the Executive Director of the American Muslim Council to discuss religious freedom in the United States with Muslim and Christian audiences in Abuja, Lagos, and several northern cities.

*North Korea.* U.S. Government policy is to encourage improvements in religious freedom. However, the United States does not have diplomatic relations with the Democratic People’s Republic of Korea and has no official presence there. U.S. policy allows U.S. citizens to travel to the country, and a number of churches and religious groups have organized efforts to alleviate suffering caused by shortages of food and medicine.

The Secretary of State designated North Korea a “country of particular concern” in 2001, the first year for the country to be placed in this category.

*Russia.* In May 2002, President Bush, First Lady Laura Bush, and Secretary of State Colin Powell met with religious leaders from numerous faiths in both Moscow and St. Petersburg. The Ambassador addressed the theme of religious freedom in talks with the Jewish community on a number of occasions, including Rosh Hashanah, as well as in remarks to members of the Muslim community at the end of Ramadan, at an event sponsored by the Council of Muftis. In addition, the Ambassador spoke of the importance of religious freedom at a Sakharov Center conference in April 2002. The 1997 Law on Freedom of Conscience has been the subject of numerous high-level communications between members of the executive branch of the U.S. Government and the Russian Government, involving various senior U.S. officials. In April 2002, an official of the Office of International Religious Freedom visited numerous government officials and representatives of major faiths, to whom she stressed the importance of respecting the rights of minority religions.

*Sudan.* The U.S. Government has made it clear to the Government that the problem of religious freedom is one of the key impediments to developing a more positive relationship between the country and the United States. The Embassy and the Department of State forcefully raised religious freedom issues publicly in press statements and at international forums, including the UN Human Rights Commission.

The Special Envoy for Peace in Sudan, John Danforth, pressed for religious freedom and met with religious leaders in his visits to Sudan. The U.S. Government supported the peace talks held under the auspices of the Inter-Governmental Authority on Development. (In July 2002, shortly after the end of the period covered by this report, the peace talks resulted in the Machakos protocol, in which the parties agreed that legislation passed by the national government that applies to the south would not have Shari'a as a source.) The U.S. Government also led an International Eminent Persons Group to investigate slavery, abductions, and forced servitude in the country.

The Secretary of State identified Sudan as a "country of particular concern" in 2001, for the third consecutive year.

*Tajikistan.* Through public diplomacy, the U.S. Embassy has supported programs designed to create a better understanding of how democracies address the issue of secularism and religious freedom. Several participants in these programs reported that they came away with a better understanding of the role that religion could play in an open society. In Washington, the Office of International Religious Freedom and U.S. Government officials met to discuss religious freedom with groups of participants in U.S. Government-sponsored visitors programs, including journalists, religious figures and scholars, and government officials.

*Turkey.* In December 2001, the Secretary of State met with high-ranking government officials to discuss several issues, including freedom of religion. In April and May 2002, visiting representatives from the State Department's Bureau of Democracy, Human Rights and Labor met with members of various religious groups to hear their concerns. The Ambassador and other Embassy officers remain in close contact with local non-governmental organizations that monitor freedom of religion. The U.S. Embassy continues to urge the Government to re-open the Halki seminary on Heybeli Island.

*Vietnam.* The U.S. Ambassador and other Embassy officers frequently raised religious freedom issues with Government officials, including the Prime Minister, the Foreign Minister, and other senior Government and Communist Party officials, explaining that progress on religious problems and human rights has an impact on the degree of full normalization of bilateral relations. U.S. Mission officials called on the Government to release Thich Quang Do from administrative probation and to allow Thich Huyen Quang to relocate to Ho Chi Minh City on humanitarian grounds. They also expressed concern for Father Nguyen Van Ly during his detention, noted the harshness of his sentence, and called for his early release. A delegation led by the Assistant Secretary of State for Democracy, Human Rights, and Labor held a Human Rights Dialog in August 2001 with the Government in which the status of Thich Quang Do, Thich Huyen Quang, the United Buddhist Church, Hmong Protestants, Protestants in the Central Highlands, Le Quang Liem, and the Catholic Church were discussed. Some religious sources have cited diplomatic intervention, primarily from the U.S., as a reason why the Government is seeking to legalize more religious groups and allow already legalized groups more freedom.



# AFRICA

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## ANGOLA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 774,200 square miles, and its population is approximately 12 million. Christianity is the religion of the vast majority of the country's population, with Roman Catholicism as the country's largest single denomination. The Roman Catholic Church claims 5 million adherents, but such figures could not be verified. The major Protestant denominations also are present, along with a number of indigenous African and Brazilian Christian denominations. The largest Protestant denominations, which include Methodists, Baptists, Congregationalists (United Church of Christ), and Assemblies of God claim to have 3 million to 5 million adherents. The largest syncretic religious group is the Kimbanguist Church, whose followers believe that a mid-20th century Congolese pastor named Joseph Kimbangu was a prophet. A small portion of the country's rural population practices animism or traditional indigenous religions. There is a small Islamic community based around migrants from West Africa. There are a few atheists in the country.

In colonial times, the country's coastal populations primarily were Catholic while the Protestant mission groups were active in the interior. With the massive social displacement caused by 26 years of civil war, this rough division no longer is valid.

Foreign missionaries were very active prior to independence in 1975, although the Portuguese colonial authorities expelled many Protestant missionaries and closed mission stations based on the belief that the missionaries were inciting proindependence sentiments. Missionaries have been able to return to the country since the early 1990's. Following the signing of the April 4, 2002 ceasefire agreement between the Government and the National Union for the Total Independence of Angola (UNITA), and missionaries were expected to be able to return to the interior of the country when the security situation improves.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Government does not require religious groups to register. Colonial era statutes banned all non-Christian religious groups from the country; while those statutes still exist, they no longer are in effect. In early 2002, the colonial-era law granting civil registration authority to the churches was put back into effect.

The Government permits churches and missions to establish and operate schools.

The country's religious leaders have taken an active role in promoting peace, national reconciliation and an end to the war. On March 13, the Catholic Bishop's Council of Angola and Sao Tome (CEAST) published a pastoral letter that gave immediate and unanimous support to the Government's peace plan and offered their

good offices to support the peace process. The Government has welcomed CEAST's statements of support.

*Restrictions on Religious Freedom*

In October 2001, Minister Tjipilica warned that the colonial-era law banning non-Christian religions, while not enforced, still was the law and could be enforced against any radical religious groups advocating terrorism or public disturbances.

During the civil conflict with UNITA, which ended on April 4, 2002, members of the clergy in government-held areas regularly criticized government policies. There were unconfirmed reports that in May 2001, the state radio censored remarks made by the Archbishop of Lubango, Dom Zacarias Kamuenho. The remarks included publicly criticisms of both the Government and UNITA on behalf of the Catholic Church. They came in the wake of a UNITA raid on the town of Caxito on May 5, 2001. Despite censoring remarks on the state radio, the Government permitted Dom Zacharia's statement to be broadcast in full on Catholic Radio Ecclesia.

While in general the rebel group UNITA permitted freedom of religion, interviews with persons who left UNITA-controlled areas revealed that the clergy did not enjoy the right to criticize UNITA policies. However, following the end of the civil conflict, UNITA was being demilitarized, and it was unclear what the situation was in former UNITA-held territory.

Unlike in previous reporting periods, there were no reports of abuses of religious freedom during the period covered by this report.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. There is a functioning ecumenical movement, particularly in support of peace. Groups involved in the peace movement include the ecumenical Inter-Church Committee for Peace in Angola (COIEPA) and the Catholic Pro Peace movement.

Clergy members also began to criticize the growing numbers of religious groups in the Lunda provinces and in Uige. There also was growing hostility against traditional religions that involve shamans.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Embassy officials and official visitors from the United States routinely meet with the country's religious leaders in the context of peacekeeping, democratization, development, and humanitarian relief efforts. Church groups are key members of the country's civil society movement and are consulted regularly by embassy officials. Embassy officials, including the Ambassador, the Country Director of the U.S. Agency for International Development, and others, maintain an ongoing dialog with the leaderships of all of the country's religious denominations.

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## BENIN

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 42,711 square miles, and its population in 2000 was 6,396,591. Reliable statistics on religious affiliation are not available; however, according to most estimates, approximately 25 percent of the population nominally are Christian, and approximately 15 percent nominally are Muslim. At least 60 percent of the population adheres to some form of traditional indigenous religion. Many persons who nominally identify themselves as Christian or Muslim also practice traditional indigenous religions. The most commonly practiced traditional indigenous religion is the animist "vodoun" system of belief, which originated in this area of Africa. Almost all citizens appear to be believers of a supernatural order. There almost are no atheists.

More than half of all Christians are Roman Catholics. Other groups include Baptists, Methodists, Assembly of God, Pentecostals, the Church of Jesus Christ of Latter-Day Saints, Jehovah's Witnesses, Celestial Christians, Seventh-Day Adventists, Rosicrucians, the Unification Church, Eckankar, and the Baha'i Faith. Nearly all Muslims adhere to the Sunni branch of Islam. The few Shi'a Muslims primarily are Middle Eastern expatriates.

There are Christians, Muslims, and adherents of traditional indigenous religions throughout the country. However, most adherents of the traditional Yoruba religion are in the south, while other traditional indigenous faiths are followed in the north. Muslims are represented most heavily in the north and in the southeast. Christians are prevalent in the south, particularly in Cotonou, the economic capital. It is not unusual for members of the same family to practice Christianity, Islam, traditional indigenous religions, or several combinations of all of these. No data was available on active participation in formal religious services or rituals.

Foreign missionary groups known to be operating in the country include the Watchtower Society, Adventist Frontier Missions, Society in Mission (SIM), and the Evangelical Baptist Mission.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion.

On May 31, 2002, the Constitutional Court ruled that persons whose constitutionally-protected human rights have been violated by "cruel, inhuman, or degrading treatment" may claim compensatory damages. At the end of the period covered by this report, several cases involving religious freedom were pending before the court, including a case in which a group of traditional religious adherents were alleged to have prevented Christians from traveling through their village to attend church services.

Persons who wish to form a religious group must register with the Ministry of the Interior. Registration requirements are identical for all religious groups, and there were no reports that any group had been refused permission to register or had been subjected to unusual delays or obstacles in the registration process. Religious groups are free from taxation. The Government accords respect to prominent religious leaders and different faiths.

Missionary groups operate freely throughout the country.

In accordance with Article 2 of the Constitution, which provides for a secular state, public schools are not authorized to provide religious instruction.

Three Muslim, six Christian, and one traditional indigenous religious holidays are observed officially: Ramadan, Tabaski, Maouloud, Easter Monday, Ascension Day, Whit Monday, Assumption Day, All Saints Day, Christmas, and traditional Religions Day (January 10).

State-run television features coverage of the celebration of religious holidays and special events in the lives of prominent religious leaders, including ordination anniversaries and funerals.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Due possibly to the diversity of religious affiliations within families and communities, religious tolerance is widespread at all levels of society and in all geographic regions.

Interfaith dialog occurs regularly, and citizens respect different religious traditions and practices, including syncretistic beliefs.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**BOTSWANA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 227,344 square miles, and its population is 1.67 million. Approximately half of the country's citizens identify themselves as Christians. Anglicans, Methodists, and the United Congregational Church of Southern Africa—formerly the London Missionary Society—claim the majority of Christian adherents. There also are congregations of Lutherans, Roman Catholics, the Church of Jesus Christ of Latter-Day Saints (Mormons), Seventh-Day Adventists, Jehovah's Witnesses, Baptists, the Dutch Reformed Church, Mennonites, and other Christian denominations. Most other citizens adhere to traditional indigenous religions or to a mixture of religions. In recent years, a number of churches of West African origin have begun holding services and draw good-sized crowds with a charismatic blend of Christianity and traditional indigenous religions. There is a small Muslim community—approximately 23,000 practitioners, a little more than 1 percent of the total population—primarily of South Asian origin, a Hindu population of approximately the same size and ethnic composition, and a very small Baha'i community. It is unknown whether there are any atheists in the country.

Religious services are well attended in both rural and urban areas.

Foreign missionary groups operate in the country, including Jehovah's Witnesses, Mormons, Quakers, Baptists, Lutherans, Catholics, Mennonites, and a number of independent evangelical and charismatic Christian groups.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion. The Constitution also provides for the protection of the rights and freedoms of other persons, including the right to observe and practice any religion without the unsolicited intervention of members of any other religion.

All organizations, including religious organizations, must register with the Government. To register, a group submits its constitution to the Registrar of Societies within the Ministry of Labor and Home Affairs. After a generally simple, but slow, bureaucratic process, the organization is registered. There are no legal benefits for registered organizations, although an organization must be registered before it can

conduct business, sign contracts, or open an account in the local banks. Unregistered groups potentially are liable to penalties including fines up to \$162 (1,000 Pula), up to 7 years in jail, or both. Except for the case of the Unification Church, there is no indication that any religious organization has ever been denied registration.

The Constitution provides that every religious community may establish places for religious instruction at the community's expense. The Constitution prohibits forced religious instruction, forced participation in religious ceremonies, or taking oaths that run counter to an individual's religious beliefs.

There are no laws against proselytizing.

Only Christian religious holidays are recognized as public holidays—Christmas Day, Good Friday, Easter Monday, and Ascension Day; however, members of other religious groups are allowed to commemorate their particular religious holidays without government interference.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

The Constitution provides for the suspension of religious freedom in the interests of national defense, public safety, public order, public morality, or public health; however, any suspension of religious freedom by the Government must be deemed "reasonably justifiable in a democratic society." This provision of the Constitution has not been invoked since 1984 when the Unification Church was denied registration.

In 1984 the Unification Church was denied registration by the Ministry of Home Affairs on the public order grounds stipulated in the Constitution. The Government also perceived the Unification Church to be anti-Semitic and denied it registration because of another constitutional provision that protects the rights and freedoms of individuals to practice their religion without intervention. Between 1984 and 1999, the Unification Church petitioned the offices of the President and Vice President without success, but made no effort to challenge the Ministry's decision in the courts. It was unclear whether the Unification Church maintained a presence in the country during the period covered by this report.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. During the period covered by this report, the Embassy met with Islamic leaders to expand a dialog between Americans and Batswana on Islam in both countries. U.S. Embassy representatives maintain regular contact with leaders and members of all religious communities in the country.

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## BURKINA FASO

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 105,689 square miles, and its total population is 12,000,000. There is no single dominant religion. Exact statistics on religious affiliation are not available; however, it is estimated that approximately 55 to 60 percent of the population practice Islam, approximately 15 to 20 percent practice Roman Catholicism, approximately 5 percent are members of various Protestant denominations, and 20 to 25 percent exclusively or principally practice traditional indigenous religions. Statistics on religious affiliation are very approximate because syncretistic beliefs and practices are widespread among both Christians and Muslims. A majority of citizens practice traditional indigenous religions to varying degrees, and adherence to Christian and Muslim beliefs often is nominal. Almost all citizens are believers in a supernatural order, and atheism is virtually non-existent. The large majority of the country's Muslims belong to the Sunni branch of Islam, while minorities adhere to the Shi'a, Tidjania, or Wahhabite branches.

Muslims are concentrated largely around the northern, eastern, and western borders, while Christians are concentrated in the center of the country. Traditional indigenous religions are practiced widely throughout the country, especially in rural communities. Ouagadougou, the capital, has a large Christian population, and Bobo-Dioulasso, the country's second largest city, is mostly Muslim. The country has a small Lebanese immigrant community, whose members are both Muslim and Christian.

Members of the dominant ethnic group, the Mossi, belong to all three major religions. Fulani and Dioula groups overwhelmingly are Muslim. There is little correlation between religious differences and political differences. Religious affiliation appears unrelated to membership in the ruling party, the Congress for Democracy and Progress. Government officials belong to all of the major religions.

Foreign missionary groups are active in the country, and include the Assemblies of God, the Campus Crusade for Christ, the Christian Missionary Alliance, Baptists, the Wycliffe Bible Translators, the Mennonite Central Committee, Jehovah's Witnesses, the Church of Jesus Christ of Latter-Day Saints (Mormons), the Pentecostal Church of Canada, the World Evangelical Crusade, the Society for International Missions, and numerous Roman Catholic organizations. Islamic missionary groups active in the country include the African Muslim Agency, The World Movement for the Call to Islam, the World Islamic League, and Ahmadia.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. Islam, Christianity, and traditional indigenous religions are practiced freely without government interference. There is no official state religion, and the Government neither subsidizes nor favors any particular religion. The practice of a particular faith is not known to entail any advantage or disadvantage in the political arena, the civil service, the military, or the private sector.

The Government requires that religious groups register with the Ministry of Territorial Administration. Registration confers legal status but entails no specific controls or benefits. There are no penalties for failure to register. All groups are given equal access to licenses, and the Government approves registrations in a routine fashion. Religious groups are taxed only if they carry on lucrative activities, such as farming.

Religious groups enjoy freedom of expression in their publications and broadcasts unless the judicial system determines that they are harming public order or committing slander; this never has occurred. The Ministry of Security grants publishing licenses, and the Superior Council of Information (CSI) grants broadcasting licenses. The Government never has denied a publishing or broadcasting license to any religious group that has requested one. The procedures for applying for publishing and broadcasting licenses are the same for both religious groups and commercial entities. Applications first are sent for review to the Ministry of Information and then forwarded to the Ministry of Security. If the Government does not respond to the application for a publishing license within the required timeframe, the applicant can begin publishing automatically. For radio licenses, before beginning broadcasts the applicant must wait until the Authority for the Regulation of Telecommunications (ARTEL) assigns a frequency and determines that the group's broadcasting equipment is of a professional quality. The Ministry of Security has the right to request samples of proposed publications and broadcasts to verify that they are in accordance with the stated nature of the religious group; however, there were no reports of religious broadcasters experiencing difficulties with this regulation. In the case

of radio stations, the CSI must be informed of the name of the broadcasting director as well as of the general programming content. Once the broadcast license is granted, the Government regulates the operation of religious radio stations in accordance with the same rules that apply to commercial and state-run stations. Stations must show that their workers are employed fulltime, that ARTEL has been paid for the use of assigned frequencies, and that employee social security taxes and intellectual property fees have been paid. There are no special tax preferences granted to religious organizations operating print or broadcast media.

Religious instruction is not offered in public schools; it is limited to private schools and to the home. Muslim, Catholic, and Protestant groups operate primary and secondary schools. The State monitors both the nonreligious curriculum and the qualifications of teachers employed at these schools. Although school officials must submit the names of their directors to the Government, the Government never has been involved in appointing or approving these officials. The Government does not fund any religious schools. Unlike other private schools, religious schools pay no taxes if they do not conduct any lucrative activities.

Foreign missionary groups, including Protestants, operate freely and face no special restrictions. The Government neither forbids missionaries from entering the country nor restricts their activities; however, missionary groups frequently face complicated bureaucratic hurdles. For example, some Christian medical missionaries have difficulty operating in the country because of a partial restriction on foreign physicians. The restrictions are not aimed at religious groups.

The Government has established the following religious holidays as national holidays: Eid Al-Adha, Easter Monday, Ascension Day, Mouloud, Assumption Day, All Saints' Day, Ramadan, and Christmas Day. There is no evidence that these holidays have a negative effect on any religious group.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Religious tolerance is widespread, and members of the same family often practice different religions.

There have been no significant ecumenical movements. Muslim, Christian, and traditional religious leaders played a prominent role in the National Day of Forgiveness in 2000, a government-organized event to atone for past state-sponsored political and economic crimes.

There were no reports of religious conflict or ritual murders during the period covered by this report; however, there were allegations of witchcraft. The Ministry of Social Action and the Family maintains a shelter in Ouagadougou for women forced to flee their villages because they were suspected of being sorceresses.

In the past, there occasionally were violent clashes within sectors of the Muslim community, and tensions still exist between some groups of Muslims. There were no reports of violent clashes within sectors of the Muslim community during the period covered by this report.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses issues of religious freedom with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy also maintains contacts with leaders of all major organized religious denominations and groups in the country.

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## BURUNDI

The Transitional Constitutional Act provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. The leader of an indigenous religious group who was arrested in 2001 for security reasons was acquitted and released, and his church was reopened.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 10,745 square miles, and its population is approximately 6.2 million. Although reliable statistics on the number of followers of various religions are not available, a Roman Catholic official has estimated that 60 percent of the population is Catholic, with the largest concentration of adherents located in the center and south of the country. A Muslim leader has estimated that up to 10 percent of the population is Muslim, mostly in urban areas. The remainder of the population belongs to other Christian churches, practices traditional indigenous religions, or has no religious affiliation. In recent years, there has been a proliferation of small indigenous groups not affiliated with any major religion, some of which have won adherents by promising miracle cures for HIV/AIDS and other ailments. Many citizens regularly attend religious services.

Foreign missionary groups of many faiths are active in the country, including Bahá'ís, Baptists, members of Jehovah's Witnesses, Pentecostals, the Society of Friends, and Seventh-Day Adventists.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Transitional Constitutional Act provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion; however, the Catholic Church, which represents approximately 60 percent of the population, is predominant.

The Government requires religious groups to register with the Ministry of Internal Affairs, which monitors their leadership and activities. The Government requires that religious groups maintain a headquarters in the country. While there is no law that accords tax exemptions to religious groups, the Government often waives taxes on imported religious articles used by churches and also often waives taxes on the importation by churches of goods destined for social development purposes. These exemptions are negotiated with the Finance Ministry on a case-by-case basis, and there is no indication of religious bias in the awarding of such exemptions.

The heads of major religious organizations are accorded diplomatic status. Foreign missionary groups openly promote their religious beliefs. The Government has welcomed their development assistance.

The Government recognizes religious holidays that primarily are Catholic, including the Assumption, the Ascension, and All Saint's Day, as well as Christmas.

On April 22, 2002, members of the Bujumbura Muslim community wrote a letter of complaint to the Interior Minister regarding alleged fraud in recent mosque elections. The Government opened an investigation; however, no action was taken by the end of the period covered by this report.

##### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion; one religious leader was tried and acquitted during the period covered by this report.

##### *Abuses of Religious Freedom*

In April 2001, the Government arrested the leader of an indigenous religious group and closed down his church after the leader's claims to divinity led to repeated clashes with a rival leader's adherents. The Government claimed to be motivated by concern for public order rather than religious bias. The trial was held during the period covered by this report; the leader was acquitted and released, and his church was reopened. There were no other cases of clergy being arrested and tried or churches being closed during the period covered by this report.

On May 18, 2002, rebels from the Forces for the Defense of Democracy (FDD) kidnaped Ruyigi Catholic Diocese Bishop Joseph Nduhirubusa and killed two of his guards; the Bishop was released unharmed on May 23, 2002. The motivation of the

rebels, who reportedly sought to demonstrate that the Government was ineffective in protecting its citizens, was believed to be political, rather than religious.

On June 11, 2001, rebels killed one nun in the area of Mutambara in an ambush on a vehicle belonging to the Roman Catholic bishop of Bururi. On June 9, 2001, FDD rebels killed Anglican archdeacon Jodl Beheda and two other persons in an ambush on their van near Makamba. Robbery was believed to be the sole motive of both attacks. No action was taken against the responsible members of the rebel forces by the end of the period covered by this report.

On October 3, 2000, soldiers shot and killed Antonio Bargiggia, a Catholic brother from Italy, who ran a hospital in Mutoyi. On October 19, 2000, a soldier, Napoleon Manirakiza, was convicted of killing Bargiggia and was executed; Manirakiza was denied both legal representation during his trial and the right to appeal his conviction.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Disputes between religious groups are rare, apart from minor disagreements over competition for followers.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy officials also maintain regular contact with leaders and members of the various religious communities.

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## CAMEROON

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some exceptions.

There was no change in the status of respect for religious freedom during the period covered by this report. Religious sites and personnel, at times, were subjected to abuses by government security forces; however, there were fewer reports than in previous years.

The generally amicable relationship among religions in society contributed to religious freedom; however, some religious groups face societal pressure and discrimination within their regions, although this may reflect ethnic as much as religious differences.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 183,568 square miles, and its population is approximately 15,420,000. Muslim centers and Christian churches of various denominations operate freely throughout the country. Approximately 40 percent of the population is at least nominally Christian, approximately 20 percent is at least nominally Muslim, and approximately 40 percent practices traditional indigenous religions or no religion. Approximately half of Christians are Catholic, and approximately half are affiliated with Protestant denominations.

Christians are concentrated chiefly in the southern and western provinces. The two Anglophone provinces of the western region largely are Protestant; the Francophone provinces of the southern and western regions largely are Catholic. Muslims are concentrated mainly in the northern provinces, where the locally dominant Fulani (or Peuhl) ethnic group overwhelmingly is Muslim. Other ethnic groups, known collectively as the Kirdi, generally practice some form of Islam. The Bamoun ethnic group of the western provinces also largely is Muslim. Traditional indigenous religions are practiced in rural areas throughout the country but rarely are practiced publicly in cities, in part because many such religions are intrinsically local in character.

Missionaries are present throughout the country, including Catholic, Muslim, Baha'i, Baptist, Presbyterian, Evangelic, and the New Church of God.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some exceptions. There is no state religion.

The Law on Religious Congregations governs relations between the State and religious groups. Religious groups must be approved and registered with the Ministry of Territorial Administration (MINAT) in order to function legally; there were no reports that the Government refused to register any group. It is illegal for a religious group to operate without official recognition, but the law prescribes no specific penalties for doing so. Although official recognition confers no general tax benefits, it does allow religious groups to receive real estate as gifts and legacies for the conduct of their activities. In order to register, a religious denomination must fulfill the legal requirement to qualify as a religious congregation. This definition includes "any group of natural persons or corporate bodies whose vocation is divine worship" or "any group of persons living in community in accordance with a religious doctrine." The denomination then submits a file to the Minister of Territorial Administration. The file must include a request for authorization, a copy of the charter of the group that describes planned activities, and the names and respective functions of the officials of the group. The Minister reviews the file and sends it to the Presidency with a recommendation for a positive or negative decision. The President generally follows the recommendation of the Minister, and authorization is granted by a presidential decree. The approval process usually takes several years, due primarily to administrative delays. The only religious groups known to be registered are Christian and Muslim groups and the Baha'i Faith, but other groups may be registered. According to MINAT statistics released in April 2002, there are 38 officially registered denominations, most of which are Christian. There also are numerous unregistered small religious groups that operate illegally but freely. The Government does not register traditional religious groups on the grounds that the practice of traditional religions is not a public but rather a private affiliation for members of a particular ethnic or kinship group, or for the residents of a particular locality.

Disputes within registered religious groups about control of places of worship, schools, real estate, or financial assets are resolved primarily by the executive branch rather than by the judiciary.

Missionary groups are present in the country and operate without impediment.

Several religious denominations operate primary and secondary schools. Although post-secondary education continues to be dominated by state institutions, private schools affiliated with religious denominations, including Catholic, Protestant, and Koranic schools, have been among the country's best schools at the primary and secondary levels for many years. The Ministry of Education is charged by law with ensuring that private schools run by religious groups meet the same standards as state-operated schools in terms of curriculum, building quality, and teacher training. For schools affiliated with religious groups, this oversight function is performed by the SubDepartment of Confessional Education of the Ministry's Department of Private Education.

The Catholic Church operates one of the country's few modern private printing presses, and a weekly newspaper, "L'Effort Camerounais." A private radio station, "Radio Reine," founded by a Catholic priest but not affiliated with the Catholic Church, continues to broadcast in Yaounde while its official authorization remains pending. A 2000 government decree requires potential commercial radio broadcasters to submit a licensing application, pay a fee when the application is approved, and pay an annual licensing fee of \$15,600 (10 million CFA francs). Two private religious radio stations that had been broadcasting illegally, the Pentecostal "Radio Bonne Nouvelle" and "Radio Reine," which is managed by a Catholic priest although not officially sponsored by the Catholic Church, continued to broadcast while awaiting official authorization. A new private Catholic radio station, "Radio Veritas," submitted its application to broadcast in January 2001, but had not yet begun broadcasting by the end of the period covered by this report for fear of being shut down for broadcasting illegally.

*Restrictions on Religious Freedom*

Government officials criticized and questioned any criticisms of the Government by religious institutions and leaders, but there were no reports that government officials used force to suppress such criticism.

In April 2000, the Ministry of National Education announced the suspension of two teachers of the Bertoua technical high school. The two teachers were accused of having "enticed" some of their students into their religious group.

The practice of witchcraft is a criminal offense under the national penal code; however, persons generally are prosecuted for this offense only in conjunction with some other offense, such as murder. Witchcraft traditionally has been a common explanation for diseases of unknown origin.

*Abuses of Religious Freedom*

The sites and personnel of religious institutions were not exempt from the widespread human rights abuses committed by government security forces; however, there were fewer reports than in previous years. On July 1, 2001, police arrested and detained overnight approximately 60 persons who were leaving the Douala Cathedral after the evening Mass. The Police Commissioner claimed that the sweep was undertaken to deter bandits from operating in the area.

No action reportedly was taken against the members of the security forces who attacked and beat parishioners at Notre Dame de Sept Douleurs in April 2000.

On April 20, 2001, Appolinaire Ndi, a parish priest in the Yaounde diocese, was killed. On May 18, 2001, Father Henri Djeneka, a Polish priest at St. Andrew's Parish Karna in Ngoundere, was shot and killed. An investigation was ongoing into both killings at the end of the period covered by this report.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom; however, some religious groups faced societal pressures within their regions. In the northern provinces, especially in rural areas, societal discrimination by Muslims against persons who practice traditional indigenous religions is strong and widespread, and some Christians in rural areas of the north complained of discrimination by Muslims. However, no specific incidents or violence stemming from religious discrimination were reported, and the reported discrimination may reflect ethnic as much as religious differences.

The northern region suffers from ethnic tensions between the Fulani, a Muslim group that conquered most of the region 200 years ago, and the Kirdi, the descendants of groups that practiced traditional indigenous religions. The Fulani conquered or displaced many Kirdi based on religious grounds. Although some Kirdi subsequently have adopted Islam, the Kirdi remain socially, educationally, and economically disadvantaged relative to the Fulani. The slavery still practiced in parts of the north is reported to be largely enslavement of Kirdi by Fulani.

In June 2000, Cardinal Tumi, the Catholic Archbishop of Douala, sent a letter to the Government strongly criticizing summary executions, torture, and other human rights abuses by the Douala Operational Command. The Government did not respond, either publicly or privately, by the end of the period covered by this report (see Section II).

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy maintained regular contact with religious groups in the country and monitored religious freedom.

**CAPE VERDE**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country, which consists of 9 inhabited islands, has a total area of 1,557 square miles, and its population is estimated at 480,000. The overwhelming majority (more than 90 percent) of the population are at least nominally Roman Catholic. The largest Protestant denomination is the Church of the Nazarene. Other Christian churches include the Seventh-Day Adventist Church, the Church of Jesus Christ of Latter-Day Saints (Mormons), the Assemblies of God, and various other Pentecostal and evangelical groups. There also are small Muslim and Baha'i communities. There is no information available regarding the number of atheists in the country.

There is no association between religious differences and ethnic or political affiliations; however, it generally is understood that the Roman Catholic hierarchy in the country is sympathetic to the Movement for Democracy (MPD) party, which formerly ruled the country. While many Catholics once were hostile toward the Party for the Independence of Cape Verde (PAICV), which became the governing party in 2001, some have become supporters of the PAICV due to conflict within the MPD party and dissatisfaction over the MPD's performance.

There are some foreign missionary groups operating in the country, including evangelical groups from Brazil.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution also provides for the separation of church and state and prohibits the State from imposing any religious beliefs and practices. There is no state religion.

It generally is recognized that the Catholic Church enjoys a privileged status in national life. For example, the Government provides the Catholic Church with free television broadcast time for religious services and observes its holy days as official holidays.

Violation of religious freedom is a crime subject to a penalty of between 2 and 8 years' imprisonment.

To be recognized as legal entities by the Government, religious groups (as well as other organized groups of citizens) must register with the Ministry of Justice; however, failure to do so does not result in any restriction on religious belief or practice.

##### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

##### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

More than 20 cases involving the desecration of Catholic churches have been reported to the police over the years. While some cases date from 1975, after 1990 the rate of incidence increased. There have been no new reports of desecration since 2000. The persons responsible for the desecrations never have been identified, and the topic has remained a controversial electoral issue since the MPD accused supporters of the PAICV of involvement in the crimes; however, the courts have dis-

missed every formal accusation that has been brought against PAICV members, usually for lack of evidence.

In 1999 four Adventists were accused of desecration of a Catholic Church on Boa Vista Island. The case initially was tried and dismissed in the lower court; however, on the Government's appeal, the Supreme Court ruled that the case be retried on the grounds that pertinent evidence was not considered in the first trial. In November 2001, the trial began, and the case was pending at the end of the period covered by this report.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### CENTRAL AFRICAN REPUBLIC

The Constitution provides for freedom of religion but establishes fixed legal conditions and prohibits what the Government considers religious fundamentalism or intolerance. The constitutional provision prohibiting religious fundamentalism is understood widely to be aimed at Muslims. In practice the Government permits adherents of all religions to worship without interference.

There was no change in the status of respect for religious freedom during the period covered by this report; however, in October 2001, the Government closed one church due to political differences with its founder.

Although in general there is religious tolerance among members of different religious groups, there were several reported mob killings of persons suspected of practicing witchcraft during the period covered by this report. There also were occasional reports that villagers believed to be witches were harassed or beaten.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 242,000 square miles, and its population is approximately 3.5 million, of which an estimated 690,000 live in the capital, Bangui. Approximately 50 percent of the population are Christian, approximately 15 percent are Muslim, and approximately 35 percent practice traditional indigenous religions or no religion. Most Christians also practice some aspects of traditional indigenous religions. The Government does not keep data on the number of nontraditional religious groups in the country, and there is no data available on active participation in formal religious services or rituals. There is anecdotal evidence of an increase in conversions to Islam by younger persons.

In general immigrants and foreign nationals in the country who practice a particular religion characterize themselves as Catholic, Protestant, or Muslim.

There are many missionary groups operating in the country, such as the Lutherans, Baptists, Catholics, Grace Brethren, and Jehovah's Witnesses, as well as missionaries from Nigeria, the Democratic Republic of the Congo (DRC), and other African countries.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion but establishes fixed legal conditions and prohibits what the Government considers religious fundamentalism or intolerance. The constitutional provision prohibiting religious fundamentalism is understood widely to be aimed at Muslims. In practice the Government permits adherents of all religions to worship without interference. There is no state religion. There is no indication that the Government favors any particular religion; however, during the period covered by this report, at least one minority religion complained that the Government granted free time each week on the official radio station to Catholic, Protestant, and Muslim speakers, but required the representatives of smaller religions to pay.

Religious groups (except for traditional indigenous religious groups) are required by law to register with the Ministry of Interior. This registration is free and confers official recognition and certain limited benefits, such as customs duty exemption for the importation of vehicles or equipment, but does not confer a general tax exemption. The administrative police of the Ministry of Interior keep track of groups that

have failed to register; however, the police have not attempted to impose any penalty on such groups.

Religious organizations and missionary groups are free to proselytize, worship, and construct places of worship.

Although the Government does not prohibit explicitly religious instruction in public schools, religious instruction is not a part of the overall public school curriculum. There are approximately 12 Catholic schools in Bangui.

Religious holidays celebrated as national holidays include Christmas, Easter Monday, Ascension Day, the Monday after Pentecost, and All Saints Day.

In the past, the Government has taken positive steps to promote interfaith dialog, including organizing interfaith Masses to promote peace.

#### *Restrictions on Religious Freedom*

Any religious or nonreligious group that the Government considers subversive is subject to sanctions. The Ministry of Interior may decline to register, suspend the operations of, or ban any organization that it deems offensive to public morals or likely to disturb the peace. The Ministry of Interior also may intervene to resolve internal conflicts about property, finances, or leadership within religious groups. The Government has banned the Unification Church since the mid-1980's as a subversive organization likely to disturb the peace, specifically in connection with alleged paramilitary training of young church members.

On October 26, 2001, President Ange-Felix Patasse fired General Francois Bozize, Chief of Staff of the Armed Forces. The following week, government forces closed a Christian church that Bozize cofounded and operated. The church remained closed at the end of the period covered by this report.

The practice of witchcraft is a criminal offense under the Penal Code; however, persons generally are prosecuted for this offense only in conjunction with some other offense, such as murder. Witchcraft traditionally has been a common explanation for diseases of which the causes were unknown. Although many traditional indigenous religions include or accommodate belief in the efficacy of witchcraft, they generally approve of harmful witchcraft only for defensive or retaliatory purposes and purport to offer protection against it. The practice of witchcraft is understood widely to encompass attempts to harm others not only by magic, but also by covert means of established efficacy such as poisons.

#### *Abuses of Religious Freedom*

In October 2001, in Bangui, the Mixed Commission of Judicial Inquiry arrested Father Tonino Falagoista, director of the Catholic radio station Radio Notre Dame. After the May 28, 2001, coup attempt, Radio Notre Dame broadcast a report that criticized the killing of members of the Yakoma ethnic group during and following the coup attempt and alleged that there were three mass graves of victims of the security forces in Bangui. Falagoista, who reportedly was arrested because he had failed to send the Commission a written denial that he had authored or approved the broadcast, was released in December 2001.

Unlike in the period covered by the previous report, there were no reports that Muslim Chadian commercial traders were being attacked in the commercial section of Bangui. Although the attacks in the past were commercially motivated, they seemed to be aggravated and tolerated because the Chadians are Muslims. It was unclear if the attacks were perpetrated by police or private citizens.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Although in general there is religious tolerance among members of different religious groups, there have been occasional reports that some villagers who were believed to be witches were harassed, beaten, or sometimes killed by neighbors. Courts have tried, convicted, and sentenced some persons for crimes of violence against suspected witches. There were several reported mob killings of persons suspected of practicing witchcraft during the period covered by this report. For example, Le Citoyen newspaper reported that on July 14, 2001, an angry mob killed two elderly women suspected of practicing witchcraft; no action was taken in the case by the end of the period covered by this report.

During the period covered by this report, bandits attacked missionaries on several occasions. For example, in January 2002 in Yaloke and in February 2002 in

Bangassou, armed bandits broke into the residences of missionary families and stole money, radios, and other items at gunpoint. The motive for the attacks is believed to be criminal rather than religious. Investigations into both incidents were conducted; however, no arrests were made. On October 25, 2001, armed highway bandits stopped a vehicle near Grimari carrying several missionaries. The bandits assaulted and injured one of the missionaries and looted the vehicle; government soldiers arrived 2 hours later, shot at and dispersed the bandits. There were no arrests or reports of any action taken against the perpetrators.

The Government conducted a full investigation into the February 2000 cases in which armed bandits attacked vehicles transporting religious personnel, killing one nun and injuring another; however, no further action was taken during the period covered by this report, and the results of the investigation were not released publicly.

When serious social or political conflicts have arisen, simultaneous prayer ceremonies have been held in churches, temples, and mosques to ask for divine assistance. The Catholic Commission for Justice and Peace often conducts developmental and educational programs and seminars throughout the country. The members work closely with other church groups and social organizations on social issues. Unlike in the period covered by the previous report, there were no large-scale ecumenical services.

There were no developments, and there are unlikely to be any, in the case of the six armed men, alleged to be soldiers from the DRC, who in 1999 allegedly raped three foreign nuns at their residence in Bangassou, near the border with the DRC, and beat a local priest.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy maintains contact with religious groups, especially American missionaries in the country, and monitors human rights developments. In October 2001, Embassy personnel met with the Imam of Bangui and his council to facilitate greater understanding between the Muslim community and the U.S. Government.

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## CHAD

The Constitution provides for religious freedom, and the Government generally respects this right in practice; however, at times the Government limited this right.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government has arrested and sanctioned some Islamic imams. The Government has banned the Islamic religious group Faid al-Djaria and arrested and detained some of its members.

Although the different religious communities generally coexisted without problems, there were reports of occasional tension between Christians and Muslims due to the proselytizing by evangelical Christians.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 495,755 square miles, and its population is 7,612,950. Of the total population, 54 percent are Muslim, approximately one-third are Christian, and the remainder practice traditional indigenous religions or no religion at all. Most northerners practice Islam and most southerners practice Christianity or a traditional indigenous religion; however, population patterns are becoming more complex, especially in urban areas. Many citizens, despite stated religious affiliation, do not practice their religion regularly.

The vast majority of Muslims are adherents of a moderate branch of mystical Islam (Sufism) known locally as Tidjani, which originated in 1727 under Sheik Ahmat Tidjani in what is now Morocco and Algeria. Tidjani Islam, as practiced in the country, incorporates some local African religious elements. A small minority of the country's Muslims (5 to 10 percent) are considered fundamentalist.

Roman Catholics make up the largest Christian denomination in the country; most Protestants are affiliated with various evangelical Christian groups.

Adherents of two other religions, the Baha'i Faith and Jehovah's Witnesses, also are present in the country. Both faiths were introduced after independence in 1960

and therefore are considered to be “new” religions. Because of their relatively recent origin and their affiliation with foreign practitioners, both are perceived as foreign.

A representative of the religious community sits on the Revenue Management College, the body that oversees the allocation of oil revenues. The seat will rotate among Muslim, Catholic, and Protestant leaders.

There are foreign missionaries representing both Christian and Islamic groups. Itinerant Muslim imams also visit, primarily from Sudan, Saudi Arabia, and Pakistan.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for religious freedom, and the Government generally respects this right in practice; however, at times the Government limited this right. The Constitution also provides that the country shall be a secular state; however, despite the secular nature of the State, a large proportion of senior government officials are Muslims, and some policies favor Islam in practice. For example, the Government sponsors annual Hajj trips to Mecca for certain government officials.

The Government requires religious groups, including both foreign missionary groups and domestic religious groups, to register with the Ministry of the Interior's Department for Religious Affairs. Registration confers official recognition but does not confer any tax preferences or other benefits. There are no specific legal penalties for failure to register, and there were no reports that any group had failed to apply for registration or that the registration process is unduly burdensome.

In 2000 the Supreme Court rejected a request from one branch of a Christian evangelical church to deny government recognition to its independent sister branch. In 1998 the Eglise Evangelique des Freres (EEF) split into moderate and fundamentalist groups. The moderate branch of the EEF retained the legal registration for the Church, but in 1999 the Ministry of Interior awarded recognition to the fundamentalist branch under a new name Eglise des Freres Independentes au Tchad (EFIT). Since 1999 the EEF branch has sought to bar the EFIT church legally from practice, and ultimately the case went before the Supreme Court, which upheld the rights of the EFIT to continue its religious work and its right to function.

Foreign missionaries do not face restrictions but must register and receive authorization from the Ministry of Interior. There were no reports that authorization was withheld from any group. Catholic and Protestant missionaries proselytize in the country.

### *Restrictions on Religious Freedom*

In September 2001, the Minister of Interior formally banned the Islamic religious group Faïd al-Djaria (also spelled Faydal Djaria), a Sufi group that adheres to a mystical form of Islam. The group arrived in the country from Nigeria and Senegal and incorporates singing and dancing into its religious ceremonies and activities. Male and female members of the group freely interact with one another during religious gatherings. The group is found from the Kanem region around Lake Chad into neighboring Chari Baguirmi. Acting at the request of the Director of Religious and Traditional Affairs, the Superior Council for Islamic Affairs, and certain ulama (Muslim religious authorities) who objected to Faïd al-Djaria's religious customs that they deemed un-Islamic, particularly that both men and women sang and danced with each other, the Interior Ministry declared that the group lacked the proper authorization to practice. According to a Faïd al-Djaria member, part of the Council's objection derives from a personal conflict with Faïd al-Djaria's leaders. The October 2001 ban was the latest in a series of government actions taken against the group. The Minister of Interior previously had banned the group in 1998; however, from the beginning of 2000, the group increasingly became active, resulting in a number of arrests in the Kanem. The 2001 ban was implemented on technical grounds, and the Government did not recognize the group's registration. According to one Faïd al-Djaria member, the group plans ignore to the ban and continue to worship as they have in the past.

According to a Protestant pastor in N'Djamena, while differing faiths or denominations are treated equally by the Government, Islamic congregations appear to have an easier time obtaining official permission for their activities. Non-Islamic religious leaders also claim that Islamic officials and organizations receive greater tax exemptions and unofficial financial support from the Government. State lands reportedly were accorded to Islamic leaders for the purpose of building mosques, while other religious denominations must purchase land at market rates to build churches. However, in 2001 at least one Christian congregation was able to reclaim a

former building that was being used by a Muslim congregation, because the Government found that the Christian church had a stronger legal claim to the building.

*Abuses of Religious Freedom*

There is an undetermined number of followers of Faid al-Djaria, the banned Islamic group, who were prisoners in Kanem. In 2000 the Sultan of Kanem arrested a number of adherents of the group Faid al-Djaria. In addition the Chadian Superior Council of Islamic Affairs, which believes that the group does not conform to Islamic tenets, requested that the Ministry of Interior arrest the group's spiritual leader, Ahmat Abdallah. In September 2001, the Council successfully petitioned the Interior Ministry to ban the group.

The Government has imprisoned and sanctioned fundamentalist Islamic imams believed to be promoting conflict among Muslims. Sheikh Faki Suzuki, a fundamentalist imam in N'Djamena, was restricted from preaching Islam for 6 months, from October 1998 to March 1999, and the authorities also placed him under house arrest on the grounds that he was inciting religious violence. However, Suzuki no longer is under house arrest, he is not restricted from preaching Islam, and there were no further reports of conflicts between Suzuki and the Islamic Council.

In 1999 the Government arbitrarily arrested and detained in prison for 1 year imam Sheikh Mahamat Marouf, the fundamentalist Islamic leader of the north-eastern town of Abeche, and refused to allow his followers to meet and pray openly in their mosque. Since his release, Sheikh Marouf may pray but is not permitted to lead prayers. His followers were allowed to pray in their mosques, but were forbidden from debating religious beliefs in any way that might be considered proselytizing; however, the Tidjani followers were allowed to proselytize.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Although the different religious communities generally coexisted without problems, there were reports of occasional tension between Christians and Muslims due to the proselytizing by evangelical Christians. In addition tensions and conflicts between government supporters from the politically dominant northern region and rebels from the politically subordinate southern region occasionally had religious overtones.

Former Islamic adherents who have converted were shunned by their families and sometimes were beaten; however, there were no reported incidents of beatings during the period covered by this report.

Most interfaith dialog happens on an individual level and not through the intervention of the Government.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. During the period covered by this report, Embassy officials increased their outreach efforts, particularly among Muslim leaders.

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## COMOROS

The May 2000 constitution, which was promulgated by the head of the military after the April 1999 coup, did not provide for freedom of religion specifically, and authorities infringed on this right. The new Constitution, which was voted into effect in December 2001, specifically provides for freedom of religion; however, authorities continued to infringe on this right.

There was no change in the status of what is at times limited respect for religious freedom during the period covered by this report. An overwhelming majority of the population is Sunni Muslim, and government authorities and the local population restricted the right of Christians to practice their faith. In the past, police regularly threatened and sometimes detained practicing Christians; however, there were no reports of such incidents during the period covered by this report.

There is widespread societal discrimination against Christians.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 838 square miles, and its population is approximately 685,000. An overwhelming majority almost 99 percent of the population are Sunni Muslim. Fewer than 300 persons less than 1 percent of the population are Christian, all of whom reportedly converted to Christianity within the last 7 years. There is a very small population (less than five families) of Indian descent, of which two or three families are Hindu. There are no atheists in the country.

A few foreign missionaries of Christian faith practice in the country.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The May 2000 constitution, which was promulgated by the head of the military after the April 1999 coup, did not provide for freedom of religion specifically, and authorities infringed on this right. The new Constitution, which was voted into effect in December 2001 and reincorporates Anjouan, Grand Comoros, and Moheli into a new federation that grants the islands greater autonomy, specifically provides for freedom of religion; however, authorities continued to infringe on this right. The new Constitution makes Islam the official religion of the country, and the Government discouraged the practice of religions other than Islam.

Prior to the incorporation of Anjouan into the federation, the Constitution written by the separatist leadership of Anjouan provided for freedom of religion; however, separatist leadership discouraged the practice of religions other than Islam.

The Ulamas council, which had advised the President, Prime Minister, President of the Federal Assembly, the Council of Isles, and the island governors on whether bills, ordinances, decrees, and laws are in conformity with the principles of Islam, no longer exists. Since December 2001, a Grand Imam consults with a group of elders periodically to assess whether the principles of Islam are respected.

There is Islamic instruction in public schools for students at the middle school level that is taught in conjunction with Arabic instruction. Almost all children between 4 and 7 years of age attend Koranic schools outside of normal school hours in order to learn how to read the Koran.

##### *Restrictions on Religious Freedom*

The Government discouraged the practice of religions other than Islam. Christians, in particular, faced restrictions on their ability to practice their faith. The Government continued to restrict the use of the country's three churches to noncitizens. There are two Roman Catholic churches, one in Moroni on the island of Grande Comore and one in Mutsamudu on the island of Anjouan. There is one Protestant church in Moroni. Many Christians practice their faith in private residences. Foreign missionaries work in local hospitals and schools, but they are not allowed to proselytize.

Local authorities and religious leaders continued to harass Christians on Anjouan. Some community authorities on Anjouan banned Christians from attending any community events and banned Christian burials in a local cemetery.

Bans on alcohol and immodest dress are enforced sporadically, usually during religious months, such as Ramadan. Alcohol can be imported and sold with a permit from the Government.

##### *Abuses of Religious Freedom*

In the past, the Government arrested and convicted individuals with Christian affiliations on charges of "anti-Islamic activity." In 1999 two citizens were arrested, tried, and convicted in part because they possessed Christian books and audiovisual material. One of the individuals was released after 4 months; it was unknown at the end of the period covered by this report whether the other citizen was released or still was incarcerated. In the past, police regularly threatened and sometimes detained practicing Christians; however, there were no reports of such incidents during the period covered by this report. Usually the authorities held those detained for a few days and often attempted to convert them forcibly to Islam.

On Anjouan, local authorities continued to attempt to suppress or convert the local Christian minority. In the past, there have been accounts of police and quasi-police authorities, known as embargoes, arresting, beating, and detaining Christians on the island of Anjouan. One Anjouanais Christian estimated that approximately 50 Christians, both men and women, were detained and released several days later by the embargoes in an 18-month period between 1999 and 2000. There were no

reports of Christians being detained on Anjouan during the period covered by this report.

Unlike in the period covered by the previous report, there were no reports that police arrested persons inside mosques while they were praying.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

There is widespread societal discrimination against Christians in all sectors of life. Christians face insults and threats of violence from members of their communities. Christians have been harassed by mobs in front of mosques and called in for questioning by religious authorities. In some instances, families have forced Christian family members out of their homes or threatened them with a loss of financial support. Some Christians have had their Bibles taken by family members. Local government officials, religious authorities, and family members have attempted to force Christians to attend services at mosques against their will.

In April 2001, in Domoni on Anjouan, a local Christian leader was summoned before local Islamic leaders and threatened. The Christian leader's father was forced to pay a fine, and the leader's family had to leave Domoni for 1 month. Several times during the first half of 2001, religious leaders on Anjouan and Grande Comore made threats against Christians during radio broadcasts. There were no reports of local religious leaders threatening Christians during the period covered by this report.

Attempts have been made to isolate Christians from village life. In 1999 on Anjouan, a religious leader started an unofficial campaign against Christians. Committees were formed in many villages to harass Christians, and lists of names of suspected Christians were circulated; however, there were no reports that the committees were active. The campaign resulted in threats, but not violence.

Islamic fundamentalism is growing in popularity as more students return to the country after studying Islamic subjects in foreign countries.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**DEMOCRATIC REPUBLIC OF THE CONGO**

Although there is no constitution currently in effect, the Government generally respects freedom of religion in practice, provided that worshipers neither disturb public order nor contradict commonly held morals; however, individual government soldiers committed some abuses.

There was no change in the status of respect for religious freedom in government-controlled areas during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. However, in areas of the country under the military occupation of Rwanda and the Congolese Rally for Democracy (RCD) rebel groups, respect for religious freedom continued to be poor. Credible reports indicate that Rwandan-backed RCD troops based in Goma (RCD/Goma) and Rwandan troops deliberately targeted churches and religious leaders in the towns and villages under their control. These actions were believed to be part of an attempt to intimidate and control communities and leaders who oppose the Rwandan presence in the country; there was no apparent religious motivation. Ugandan-backed RCD troops based in Bunia (RCD/ML) under the control of Mbusa Nyamwisi reportedly pillaged and destroyed churches as part of a broader pattern of violence and banditry in the area near the towns of Beni and Butembo; there was no apparent religious motivation for the attacks. Unlike in the period covered by the previous report, there were no reports that Uganda People's Defense Force (UPDF) troops targeted Catholic clergy.

Although there is a generally amicable relationship among religions in society, there were incidents in which persons suspected of witchcraft were attacked, killed, or driven from their homes.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 905,000 square miles, and its population is approximately 52 million. Approximately 55 percent of the population are Roman Catholic, 25 percent are Protestant, and 2.5 percent are Muslim. The remainder largely practice traditional indigenous religions. There are no statistics available on the percentage of atheists. Minority religious groups include, among others, Jehovah's Witnesses and the Church of Jesus Christ of Latter-Day Saints (Mormons).

There are no reliable data on active participation in religious services. Ethnic and political differences generally are not linked to religious differences.

Foreign missionaries operate within the country.

## SECTION II. STATUS OF FREEDOM OF RELIGION

*Legal/Policy Framework*

Although there is no constitution currently in effect, the Government generally respects freedom of religion in practice, provided that worshipers neither disturb public order nor contradict commonly held morals; however, government forces committed some abuses. There is no state religion.

The establishment and operation of religious institutions is provided for and regulated through a statutory order on the Regulation of Non-profit Associations and Public Utility Institutions. Requirements for the establishment of a religious organization are simple and generally are not subject to abuse. Exemption from taxation is among the benefits granted to religious organizations. A 1971 law regulating religious organizations grants civil servants the power to recognize, suspend recognition of, or dissolve religious groups. There have been no reports that the Government suspended or dissolved a religious group since 1990, when the Government suspended its recognition of Jehovah's Witnesses; that suspension subsequently was reversed by a court. Although the law restricts the process of recognition, officially recognized religions are free to establish places of worship and to train clergy.

The Government requires practicing religious groups to be registered; however, in practice unregistered religious groups operate unhindered.

Although the Government requires foreign religious groups to obtain the approval of the President through the Minister of Justice, foreign religious groups generally operate without restriction once they receive approval from the Government. Many recognized churches have external ties, and foreign missionaries generally are allowed to proselytize. The Government generally did not interfere with foreign missionaries.

The Government promoted interfaith understanding by supporting and consulting with the country's five major religious groups (Catholic, Protestant, Orthodox, Muslim, and Kimbanguist). The Consortium of Traditional Religious Leaders serves as a forum for religious leaders to gather and discuss issues of concern, and it advises and counsels the Government while presenting a common moral and religious front.

*Restrictions on Religious Freedom*

In 1999 former President Laurent Kabila promulgated a decree that restricted the activities of nongovernmental organizations (NGO's), including religious organizations, by establishing requirements for them; however, existing religious organizations were exempt, and the decree subsequently was not enforced. In 2001 President Joseph Kabila issued a decree that allows nonprofit organizations, including religious organizations, to operate without restriction provided they register with the Government by submitting copies of their bylaws and constitution.

While the Government generally did not interfere with foreign missionaries, foreign missionaries have not been exempt from general restrictions by security forces, such as restrictions on freedom of movement imposed on all persons by security force members who erect and man roadblocks, at which they often solicit bribes.

*Abuses of Religious Freedom*

Some abuses occurred in government-controlled areas as a result of the war; however, there were fewer reports of such abuses than during the period covered by the previous report. These abuses, usually the harassing of priests at checkpoints or the theft of church property, generally resulted from a lack of discipline on the part of individual government soldiers, rather than from any religious or politically motivated policy.

There were no reports of religious prisoners or detainees in government-controlled areas.

The ongoing war broke out in 1998 between the Government and rebel forces; by the end of the period covered by this report, rebel forces backed by Rwanda and Uganda continued to control more than half of the country. The Government exer-

cises no authority in areas east of the disengagement line. In areas of the country under the military occupation of Rwanda and its respective rebel clients, respect for religious freedom continued to be poor. RCD/Goma rebels and their Rwandan allies continued to commit significant abuses in these areas. Credible reports indicate that RCD/Goma and Rwandan troops deliberately targeted churches and religious leaders in the towns and villages under their control. Such actions were believed to be part of an attempt to intimidate the population and retaliate for the growing role of churches as the only safe zones for community discussion and peaceful activism against the presence of Rwandan and RCD/Goma forces in the country. Abuses took the form of arbitrary killings, arrests, and disappearances of pastors, priests, and laymen; public threats against the lives of religious leaders; pillaging and destruction of church property; and the use of armed soldiers to disperse forcibly religious services.

On April 12, 2002, in Bukavu, Rwandan and RCD/Goma soldiers surrounded the congregations of several Catholic churches and forcibly dispersed, beat, and kicked parishioners. The Catholic Church in Bukavu originally had organized a Mass for April 12, at which Catholics from all parishes in South Kivu Province were to assemble and pray for peace. Although the Catholic Church had applied for and received permission from the Mayor of Bukavu and the Vice Governor of South Kivu Province to hold the Mass, Rwandan and RCD/Goma soldiers announced on the radio that the Mass was forbidden. During the broadcast, RCD/Goma Commander Chuma Balumisa issued threats against the Catholic Church, specific priests, including Monseigneur Maroyi, and anyone who participated in the Mass. The Catholic Church cancelled the Mass and told parishioners to pray instead at their local parishes. On the morning of April 12, Rwandan forces armed with guns and RCD/Goma soldiers and police armed with batons surrounded the main religious centers in each parish and lined the main roads in Bukavu. In the Cahi Parish, soldiers entered the church, beat parishioners and priests, and destroyed the statue outside the Church. In Nyamwera Parish, Rwandan soldiers used tear gas to disperse a group of young students. In Mater Dei of Muhungu Parish, soldiers chased parishioners from their church, beat them, and fired shots in the air. Soldiers at the same parish violently kicked a group of children between the ages of 8 and 12 who were marching toward the church chanting, "We ask for peace." Numerous persons were injured, including two priests, a 14-year-old girl, and a 17-year-old boy.

On May 6, 2002, RCD/Goma Brigade Commander Eric Ruhorimbere issued a public statement that accused the clergy in North Katanga Province of "misleading" the public through their preaching. The statement, which was delivered in the presence of the RCD Governor and Vice Governor of North Katanga, included a death threat against the clergy.

On May 12, 2002, bodyguards of the RCD/Goma's 13th Brigade Commander Mwilambwe beat two priests and two Catholic laymen in the presence of RCD/Goma Deputy Director of Security and Information Bampa, who had ordered the beatings. Mwilambwe reportedly told the victims that the beatings were in response to Catholic criticism of the RCD/Goma.

On May 14, 2002, in Kisangani, RCD/Goma and RPA troops seized Xavier Zabalo, a Spanish Jesuit priest, transferred him to several different detention locations, and pillaged his parish and personal home; Zabalo was released 24 hours later following strong international pressure. Also on May 14, RCD/Goma and RPA forces in Kisangani seized and beat Guy Verhaegen, a Belgian Catholic priest, who later required hospitalization for his injuries.

Unlike in the period covered by the previous report, there were no reports that UPDF troops targeted Catholic clergy. However, RCD/ML troops under the control of Mbusa Nyamwisi, who is supported by the Government of Uganda, reportedly pillaged and destroyed churches as part of a broader pattern of violence and banditry in the area near the towns of Beni and Butembo; there was no apparent religious motivation for the attacks.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Although there is a generally amicable relationship among religions in society, there were credible reports that significant numbers of children were accused of being witches and then driven from their homes by their families. An estimated

12,000 to 30,000 children have been accused throughout the country. No further information was available at the end of the period covered by this report.

In June 2001, in Orientale Province, there were reports of witch hunts that resulted in the killing of several hundred persons; more than 150 persons were arrested for suspected involvement by the end of 2001. The local population targeted the victims because they suspected and feared that they were casting spells on others. There is a common belief in the region that some persons have the power to cast spells on others; this fear sometimes rises to mass hysteria. No further information was available at the end of the period covered by this report.

On March 24, 2002, in Goma, unidentified persons threw a hand grenade into a Catholic religious procession; 1 priest and 2 children were killed, and 11 persons, including 3 priests, were injured. The RCD/Goma investigation, which was viewed as not credible, placed responsibility for the incident on human rights activists and U.N. personnel; RCD/Goma forces subsequently arrested at least six human rights activists. The motivation for the attack was believed to be political, rather than religious. No further information was available at the end of the period covered by this report.

On April 23, 2002, unidentified persons shot and killed Catholic priest Romain Kahindo Kyavuyirwe while he was driving in an area controlled by RCD/ML rebels. According to a local human rights group, the attack is believed to be a result of the general state of violence in the area, rather than a deliberate targeting of religious leaders.

Leaders of major religions consult with one another through the Consortium of Traditional Religious Leaders.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of the promoting human rights.

On numerous occasions, the U.S. Government continued to voice its opposition to the presence of hostile foreign troops in the country. The U.S. Government also publicly criticized the war and launched a number of diplomatic initiatives, in concert with the U.N., to bring the conflict to an end.

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## REPUBLIC OF THE CONGO

Until January 2002, the Fundamental Act provided for freedom of religion, and the Government generally respected this right in practice. The new Constitution, which was approved in January 2002, also provides for freedom of religion; the Government continued to generally respect this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

While the generally amicable relations among religions in society contributed to religious freedom, the close link between certain self-proclaimed messianic groups and opposition political movements at times was a source of tension.

The U.S. Government discusses religious freedom issues with the government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 132,047 square miles, and its population is approximately 3 million. Approximately half of its citizens are Christian; of these about 90 percent are Roman Catholic. There is a small Muslim community estimated at 25,000 to 50,000 persons, most of whom are immigrants from North and West Africa who work in commerce in urban centers. The remainder of the population is made up of practitioners of traditional indigenous religions, those who belong to various messianic groups, and those who practice no religion at all. A small minority of the Christian community practices Kimbanguism, a syncretistic movement that originated in the neighboring Democratic Republic of the Congo. While retaining many elements of Christianity, Kimbanguism also recognizes its founder (Simon Kimbangu) as a prophet and incorporates African traditional beliefs, such as ancestor worship.

Mystical or messianic practices (especially among the ethnic Lari population in the Pool region) have been associated with opposition political movements, including some elements of the armed insurrection in the south during 1998–1999.

Several Western Christian missionary groups are active in the country, including members of Jehovah's Witnesses, the Salvation Army, the Christian and Missionary Alliance, and several Catholic religious orders.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

Until January 2002, the Fundamental Act provided for freedom of religion, and the Government generally respected this right in practice. The new Constitution, which was approved in January 2002, also provides for freedom of religion and specifically forbids discrimination on the basis of religion; the Government generally continued to respect this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no official state religion.

The Government recognizes the Christian holidays of Christmas, Ascension, and Pentecost as national holidays.

### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

### *Abuses of Religious Freedom*

Pastor Frederik Ntoumi, a self-identified prophet and leader of the "Ninja" rebel militia group that was responsible for numerous human rights abuses in the country, took hostage a French priest during the period covered by this report. Unconfirmed reports indicated that the priest may have died during captivity. The motivation for the kidnaping was believed to be political, rather than religious. There were other reports that Ntoumi desecrated churches by practicing in them his own religion, which is a mixture of Christianity, ancestor worship, and indigenous religion.

There were no reports of religious prisoners or detainees.

### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relations among religions in society contributed to religious freedom; however, the close link between certain messianic groups and armed opposition political movements, including the "Ninjas," at times was a source of tension.

All organized religious groups are represented in a joint ecumenical council, which meets periodically.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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## COTE D'IVOIRE

The Constitution provides for freedom of religion; however, the Government at times limited this right in practice.

The status of respect for religious freedom improved somewhat during the period covered by this report. The successful conclusion of the Forum for National Reconciliation, which took place between October and December 2001, contributed to improved relations between the Government and religious groups. However, after months of improved relations, in June 2002, there were violent clashes between security forces, Republican Rally (RDR) militants, and Ivoirian Popular Front (FPI) supporters prior to local elections. The Government monitors minority religious groups for signs of political activity it considers subversive or dangerous. Some Muslims believe that their religious and ethnic affiliation make them targets of discrimination by the Government with regard to both employment and the renewal of national identity cards.

Relations among the various religious communities generally are amicable; however, there is some societal discrimination against Muslims and followers of traditional indigenous religions.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 122,780 square miles, and its population is 15,366,692. Religious groups in the country include Islam, the Adventist Church, the Assemblies of God, the Southern Baptist Church, practitioners of traditional indigenous religions, Bossonism (the traditional religious practices of the Akan ethnic group), the Autonomous Church of Celestial Christianity of Oschoffa, Roman Catholicism, the Union of the Evangelical Church of Services and Works of Cote d'Ivoire, the Harrist Church, the Church of Jesus Christ of Latter-Day Saints (Mormons), the Protestant Methodist Church of Cote d'Ivoire, the Yoruba First Church, the Church of God International Missions, the Baptist Church Missions, the Church of the Prophet Papa Nouveau (a syncretistic religion founded in the country in 1937 that combines Christian doctrine, traditional indigenous rituals, and practical concern for social, political, and economic progress for Africans), the Pentecostal Church of Cote d'Ivoire, the Messianic Church, the Limoudim of Rabbi Jesus (a small Christian group, the origins of which are unknown), the Unification Church, Jehovah's Witnesses, the Interdenominational Church, the Eckankar religion (a syncretistic religion founded in 1965 in Nigeria that sees human passion as an obstacle to uniting a person's divine qualities), Buddhism, and the Movement of Raelis. Many religious groups in the country are associated with American religious groups.

The published results of the most recent national census, conducted in 1998, indicated that Muslims make up approximately 38.6 percent of the country's population; Catholics make up 19.4 percent; practitioners of traditional indigenous religions, 11.9 percent; Protestants, 6.6 percent; Harrists, 1.3 percent; other Christians, 3.1 percent; practitioners of other religions, 1.7 percent; and persons without religious preference or affiliation, 16.7 percent. Among citizens, 27.4 percent are Muslim, 20.8 percent are Catholic, 15.4 percent practice traditional indigenous religions, 8.2 percent are Protestant, 1.6 percent are Harrist, 3.4 percent are of other Christian affiliations, 1.9 percent practice other religions, and 20.7 percent are without religious affiliation. Foreigners living in the country are 70.5 percent Muslim and 15.4 percent Catholic with small percentages practicing other religions.

Most of the country's many syncretistic religions are forms of Christianity that contain some traditional indigenous practices and rituals. Many such religions were founded by Ivoirian or other African prophets and are organized around and dependent upon the founder's personality. Some emphasize faith healing or the sale of sacred objects imbued with supernatural powers to bring health and good luck. Many nominal Christians and Muslims practice some aspects of traditional indigenous religions, especially in difficult times.

Generally there has been a trend towards conversion by practitioners of traditional religions to Christianity and Islam. Missionary work, urbanization, immigration, and higher education levels have led to a decline in the percentage of practitioners of traditional religions from 37 percent in 1975 to 11.9 percent in 1998.

Muslims are found in the greatest numbers in the northern half of the country, although they also are becoming increasingly numerous in the cities of the south due to immigration. In 1998 Muslims composed 45.5 percent of the total urban population and 33.5 percent of the total rural population. Catholics live mostly in the southern, central, and eastern portions of the country. Practitioners of traditional indigenous religions are concentrated in rural areas of the country's north, west, center, and east. Protestants are concentrated in the central, eastern, and southwest regions. Members of the Harrist Church, an African Protestant denomination founded in the country in 1913 by a Liberian preacher named William Wade Harris, are concentrated in the south.

Political and religious affiliations tend to follow ethnic lines. As population growth and movement have accentuated ethnic distinctions between the groups of the Sahel and those of the forest zone, those distinctions sometimes have been expressed in terms of religion (for example, northern Muslims and southern Christians and traditionalists).

Immigrants from other parts of Africa generally are at least nominally Muslim or Christian. The majority of foreign missionaries are European or American representatives of established religions, but some Nigerians and Congolese also have set up churches.

In the past, Catholic priests tended to be better educated than leaders of other religions. Numerous Catholic schools were founded in the country in the early 1900's during French colonial rule, and citizens who attended these schools generally received good educations and eventually became a disproportionately large part of the country's elites. Many senior government officials, including all four heads of state since independence, have been Catholics. The Baoule ethnic minority, which has dominated the State and the Democratic Party of Cote d'Ivoire (PDCI), which governed the country from independence in 1960 until 1999, largely is Catholic, although some Baoules continue to practice traditional indigenous religion and a few practice Islam. After 39 years of political dominance, the PDCI was driven from power in a military coup in December 1999. Following 10 months of transitional military rule, the country elected a new president from the FPI, another political party composed primarily of Christians and individuals practicing traditional indigenous religions. In January 2002, the country became a member of the Organization of Islamic Conference.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution, implemented in August 2000, provides for freedom of religion; however, at times the Government limited this right in practice. There is no state religion; however, for historical and ethnic reasons the Government informally favors Christianity. For example, the Government continues to subsidize both Roman Catholic and other Christian schools at lower levels than in the past; however, it does not subsidize Muslim schools.

In past years, the Government has paid for the construction of Catholic cathedrals; however, the Government also sponsors or finances the construction of shrines for groups other than the Catholic Church. During the period covered by this report, the Government was directing the construction of the Plateau Mosque in central Abidjan and financing it with the help of governments or government-affiliated religious organizations of some largely Islamic Arab countries.

The Government establishes requirements for religious groups under a 1939 French law. All religious groups wishing to operate in the country must submit to the Ministry of the Interior a file including the group's bylaws, the names of the founding members, the date of founding (or date on which the founder received the revelation of his or her calling), the minutes of the general assembly, the names of members of the administrative board, and other information. The Interior Ministry investigates the backgrounds of the founding members to ascertain that the group has no politically subversive purpose. However, in practice the Government's regulation of religious groups generally has not been unduly restrictive since 1990, when the Government legalized opposition political parties.

Although nontraditional religious groups, like all public secular associations, are required to register with the Government, no penalties are imposed on a group that fails to register. In practice registration may bring advantages of public recognition, invitations to official ceremonies and events, publicity, gifts, and school subsidies. No religious group has complained of arbitrary registration procedures or recognition; however, the Government does not register traditional indigenous religious groups.

The Government grants no tax or other benefits to religious groups; however, some religious groups have gained some favors after individual negotiations. Examples include reductions in the cost of resident alien registration, customs exemptions on certain religious items, and, in some cases, privileges similar to those of diplomats. No particular religion is favored consistently in this manner. Occasionally a state-owned company grants favors to religious leaders, such as a reduction in air-plane fares.

Foreign missionaries must meet the same requirements as any foreigner, including resident alien registration and identification card requirements. However, there were no reports that foreign missionaries were denied such registration arbitrarily.

Religious instruction is permitted in public schools and usually offered after normal class hours. Such instruction is offered by established Islamic, Catholic, and Protestant groups.

The Government has taken some positive steps to promote interfaith understanding. Government officials, including the President and his religious advisers, make a point of appearing at major religious celebrations and events organized by a wide variety of faiths and groups. There is no government-sponsored forum for interfaith dialog, but the Government often invites leaders of various religious communities (but not of traditional indigenous religious groups) to attend official cere-

monies and to sit on deliberative and advisory committees, including the Mediation Committee for National Reconciliation.

During the Forum in 2001, Muslim leaders accused the Government of progressively moving the country towards becoming a nonsecular, Christian state. The Muslim leaders claimed that many state institutions, particularly the national television and radio stations, were dominated by Christian programming, including broadcasts of Catholic masses, choirs, religious services, and Christian music. In early 2002, President Gbagbo tasked National Reconciliation Forum President Seydou Diarra with forming an ecumenical commission to define the “non-secular state.” The commission met several times during the period covered by this report.

#### *Restrictions on Religious Freedom*

The Government monitors minority religious groups, including Islamic associations, to the extent of registering them and watching them for signs of political activity that it considers subversive, but does not control them closely; however, the proliferation of new groups has caused some concern among government officials and citizens.

In March and April 2000, local governments closed some Harrist churches, particularly in Bingerville and Grand Labou, to prevent an escalation of intrareligious violence (see Section III). All of the churches were reopened by June 2002 following government mediation and the restoration of unity within the Harrist church.

Unlike in the period covered by the previous report, there were no reports that police or gendarmes searched mosques or homes of imams without warrants.

Traditionally the Government informally has favored the Roman Catholic Church. Catholic Church leaders have had a much stronger voice in government affairs than their Islamic counterparts, which led to feelings of disenfranchisement among the Muslim population. After assuming power following the December 1999 coup, General Robert Guei indicated that one of the goals of the transition government was to end this favoritism and put all of the major religious faiths on an equal footing. However, in practice General Guei did not take any substantive steps to bring this about, nor has his successor, President Laurent Gbagbo. Since the National Forum for Reconciliation, President Gbagbo has met with Muslims leaders to discuss their concerns. In late June 2002, he met with Imam Idriss Kone Koudouss, President of the National Islamic Council. Imam Koudouss called for the Government to support Koranic schools and a new national Islamic center and for government recognition of two more Muslim holidays as national holidays.

Some Muslims believe that their religious or ethnic affiliation makes them targets of discrimination by the Government with regard to both employment and the renewal of national identity cards. Due to the tense political situation in the country and the ethnic and religious divisions along which political party lines are drawn, some Muslims are scrutinized more closely in the identity card application process. As most Muslims share names, style of dress, and customs with several of the country’s predominantly Muslim neighboring countries, they sometimes are accused wrongly of attempting to obtain nationality cards illegally in order to vote or otherwise take advantage of citizenship. This creates a hardship for a disproportionate number of Muslim citizens.

Muslims often have had to struggle for state benefits that came more easily to practitioners of other religions. For example, Catholic and Protestant schools are regarded as official schools supervised by the Ministry of Education and subsidized by the Government. However, until 1994 Islamic schools were regarded as religious schools, were supervised by the Ministry of the Interior, and were unsubsidized even if they followed official school curriculums. Since 1994 Islamic schools that follow official curriculums have been subsidized by the Government. The Government recognized no Muslim religious holidays until 1974 and did not recognize all major Muslim religious holidays until 1994. Churches organize Christian pilgrimages without government supervision; however, in 2001 the Government paid for a pilgrimage to Rome for 81 Roman Catholics. Until 1993 the Ministry of Interior supervised Islamic pilgrimages to Mecca for the Hajj, and the Government also offered some financial assistance to Muslim pilgrims. In March 2002, the Ministry of Interior restructured the Government’s organization that supervises the Hajj, and Muslim organizations continue to view the Government’s actions as unnecessary and unwarranted interference.

Unlike in the period covered by the previous report, there were no reports that government officials criticized Muslim or other religious leaders.

Traditional indigenous religions, which are not registered officially as religions, rarely are included in official or unofficial lists of the country’s religions. There is no generally accepted system for classifying the country’s diverse traditional religious practices, which vary not only by ethnic group, but also by region, village, and

family, as well as by gender and age group. In addition members of the country's largely Christianized or Islamicized urban elites, which effectively control the State, generally seem disinclined to accord to traditional indigenous religions the social status accorded to Christianity and Islam. No traditional indigenous religious leader (except for traditional rulers, who also may perform some traditional religious functions) is known to have been invited to present New Year's greetings to the President or to take part in a government advisory council. However, traditional Akan chiefs very often are invited to pour alcohol on the ground at the beginning of important ceremonies, even the most official ones, in order to bless the events.

The Government does not prohibit links to foreign coreligionists but informally discourages connections with politically radical fundamentalist movements, such as Islamic groups based in Iran and Libya.

#### *Abuses of Religious Freedom*

After months of improved relations, in June 2002, tensions rose between RDR and FPI supporters prior to the July 2002 departmental elections. In late June, security forces and RDR and FPI supporters clashed around Daloa. Muslims accused the security forces of favoring the FPI. At least six persons were killed, although some estimates were much higher. The parties' militants burned mosques and churches, as well as homes and villages, especially those of Muslims.

Also in late June in Abidjan, members of a progovernment activist student union, Fesci, attacked and injured Muslim university students. Muslims accused Fesci of grouping Muslims, northerners, members of northern ethnic groups, and RDR loyalists into one identity.

Unlike in the period covered by the previous report, there were no reports that security forces detained, questioned, or beat Muslims, or that security forces questioned Islamic leaders on suspicions that they were plotting civil unrest.

Citing the killings of hundreds of Muslims during the October and December 2000 demonstrations, National Islamic Council (CNI) President Koudouss accused the authorities and the armed forces of having planned a genocide, adding that Muslims would not feel "reconciled" until the Government apologized to the Muslim community. On May 2, 2002, President Gbagbo met with approximately 100 Muslim community leaders, including Imam Koudouss. He did not apologize; however, he informed the group that he had invited a foreign government to open an Arab language studies center in the country to provide citizens with a better understanding of the Arab world. The Government also chose to refer to all those who lost their lives in the violence surrounding the presidential elections of 2000 as "heroes of democracy."

No action was taken against members of security forces responsible for the December 2000 killing of Kaba Bakary, a 60-year-old Guinean man, reportedly because he was wearing a Muslim robe, which gendarmes believed indicated that Bakary was a supporter of the RDR, or for the beating of Imam Bakary and others following the RDR's December 2000 demonstration.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among the various religious communities generally are amicable; however, there is some societal discrimination against Muslims and followers of traditional indigenous religions.

The country's Islamic communities are subject to some societal discrimination. Some non-Muslims have objected to the construction of mosques, such as the new mosque in Abidjan's Plateau district, because the Islamic duty to give alms daily may attract beggars to neighborhoods containing mosques. Some non-Muslims also object to having to hear the muezzins' calls to prayer. Some persons consider all Muslims as foreigners or fundamentalists, and Muslims often are referred to as "destabilizing forces." Muslim citizens often are treated as foreigners by their fellow citizens, including by government officials, because most Muslims are members of northern ethnic groups that also are found in other African countries from which there has been substantial immigration into the country. Muslims also frequently were discriminated against because of ethnic origin or presumed support of former Prime Minister Alassane Ouattara's candidacy. Many Muslims are northerners and tended to support the presidential candidacy of Ouattara and the RDR and opposed the ruling FPI.

Followers of traditional indigenous religions also are subject to societal discrimination. Many leaders of religions such as Christianity or Islam look down on practitioners of traditional indigenous religions as pagans and practitioners of black magic or human sacrifice. Some Christians or Muslims refuse to associate with practitioners of traditional indigenous religions. The practices of traditional indigenous religions often are secret and include exclusive initiation rites, oaths of silence, and taboos against writing down orally transmitted history. However, there have been no reports of human sacrifice in the country since well before independence. Although the purported practice of black magic or witchcraft continues to be feared widely, it generally is discouraged by traditional indigenous religions, aspects of which commonly purport to offer protection from witchcraft. Traditional indigenous religions commonly involve belief in one supreme deity as well as lesser deities or spirits that are to be praised or appeased, some of which may in some religions be believed to inhabit or otherwise be associated with particular places, natural objects, or manmade images. However, many practitioners of traditional indigenous religions are unaware of societal discrimination and have not complained.

Conflicts between and within religious groups have surfaced occasionally. The Celestial Christians have been divided because of a leadership struggle. However, in February 2002, the Church reunified after the head of the church in Nigeria reinstated Blin Jacob Edimou, the founding priest of the Ivoirian Celestial Church, to his position as head of the Church. Edimou had been removed in 1987 following accusations of impropriety. The Harrists also have internal divisions and have resorted to violence on occasion to resolve their differences. In March 2000, clergy leader Barthelemy Akre Yasse struck Harrist National Committee president Tchotche Mel Felix from the church rolls for insubordination. This battle for church leadership at the national level led to violent confrontations between church members at the local level. In March and April 2000, local governments closed Harrist churches in which confrontations took place in order to prevent an escalation of the violence. However, in November 2001, police used teargas to disperse church members fighting outside one of their churches in the Cocody section of Abidjan. All of the churches were reopened by June 2002 after the restoration of unity within the Harrist church; however, the leadership struggle continued during the period covered by this report.

During the Forum for National Reconciliation held from October to December 2001, tensions flared between Muslims and Christians (especially Catholics) as each group accused the other of interfering with the social and political debates by attempting to impose their respective views and political candidates on the other. The Muslims complained of being marginalized and accused the Catholics of working with the Government to "Christianize" the institutions of state, especially the national television and radio stations. Some smaller religious groups, including Buddhists and the Raelis, accused Muslims and Christians of behaving like state religions.

There are various examples of interfaith cooperation. Once a year, on New Year's Eve, members of all Christian religious groups gather in the National Stadium in Abidjan to keep a night-long vigil and pray. When serious social problems have arisen, simultaneous Catholic, Protestant, and Muslim prayer ceremonies have been held in churches, temples, and mosques to ask for divine assistance. Kouassi-Datekro, a town in the Akan region in the eastern part of the country, is famous for ecumenical events involving simultaneous prayer services of all faiths. Since 1990 religious leaders from diverse groups have assembled on their own initiative to mediate in times of political conflict; however, no leaders of traditional indigenous religious groups have been included. In October 2001, several associations of young Christians and Muslims met at Abidjan Cathedral to create an interreligious forum to contribute to the resolution of the country's problems. In December 2001, Muslim and Christian associations prayed together for peace and national reconciliation at the initiative of the Muslim Senegalese community in the country.

In 1997 the Research Group in Democracy and Social and Economic Development of Cote d'Ivoire (GERDDES-CI), a democracy and civic education group, created the Forum of Religious Confessions. The Forum includes the leaders of many of the country's religious faiths, including Catholics, Muslims, various Protestant groups, several syncretist groups, the Association of Traditional Priests, and the "Bossonists," an association of indigenous Akan religious priests. The Forum is headed by the leader of the Celestial Christian Church, and its objective is to promote dialog, increase understanding, and improve religious leaders' and groups' relationships. The Forum also mediates in times of serious social or political conflicts, as it did in 2001 during violent conflict among rival political and student groups (see Section II).

In 2001 the Forum organized several joint national prayer gatherings with imams and Christian leaders attending each other's religious services. In July 2001, President Gbagbo met with the Forum leaders following a "week of prayers" they had sponsored in support of national reconciliation. The Forum praised President Gbagbo for his efforts, and the President promised continued support for the Forum.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government has monitored and reported on the status of religious freedom, developed and maintained contacts with leaders of diverse religious groups, and discussed religious freedom issues with government officials in the context of its overall dialog and policy of promoting human rights.

In 1997 with financial assistance from the U.S. Embassy, GERDDES-CI helped religious groups in the country establish a Forum of Religious Confessions, which included all of the main religious groups (see Section III). The Forum continued to meet during the period covered by this report.

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## DJIBOUTI

The Constitution, while declaring Islam to be the state religion, provides for freedom of religion, and the Government generally respects this right in practice; however, proselytizing is discouraged.

There was no change in the status of respect for religious freedom during the period covered by this report, and unlike in the period covered by the previous report, there were no reports that the police targeted Ethiopian Pentecostal Christians when conducting the apprehension and deportation of persons living illegally in the country.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 9,000 square miles, and its population is estimated at 650,000. More than 99 percent of the population are Sunni Muslim. There are a small number of Catholics, Protestants, and followers of the Baha'i Faith, together accounting for less than 1 percent of the population. There are no known practitioners of traditional indigenous religions. Because all citizens officially are considered Muslims if they do not adhere to another faith, there are no figures available on the number of atheists in the country.

The sizable foreign community supports the Roman Catholic, Protestant, Greek Orthodox, and Ethiopian Orthodox churches.

A small number of foreign Christian missionary groups operate in the country, including the Eastern Mennonite Mission, Red Sea Team International, and Life International.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution, while declaring Islam to be the state religion, provides for freedom of religion, and the Government generally respects this right in practice; however, proselytizing is discouraged. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

Although Islam is the state religion, the Government imposes no sanctions on those who choose to ignore Islamic teachings or practice other faiths. In 2000 the Government established diplomatic relations with the Vatican.

The Qadi is the country's senior judge of Islamic law and is appointed by the Minister of Justice. The current Qadi was appointed in June 1999. His predecessor was named Minister of State for Charitable and Religious Affairs under the Ministry of Justice, a position created in May 1999, when President Ismail Omar Guelleh formed his Cabinet and declared that Islam would be a central tenet of his Government.

The Government requires that religious groups be registered. There were no reports that the Government refused to register any religious groups.

Foreign clergy and missionaries are permitted to perform charitable works and to sell religious books. These groups, which focus on humanitarian services in the education and health sectors, reportedly faced no harassment during the period covered by this report. Foreign missionary groups are licensed by the Government to operate schools.

Religion is not taught in public schools.

The country observes the Muslim holidays of Eid alFitr, Eid alAdha, the Prophet Mohammed's birthday, and the Islamic new year as national holidays. The country also celebrates Christmas as an official holiday.

#### *Restrictions on Religious Freedom*

There is no legal prohibition against proselytizing; however, proselytizing is discouraged. Unlike in the period covered by the previous report, there were no reports that members of the Baha'i Faith were detained and questioned by the police regarding possible proselytizing activities.

Islamic law based on the Koran is used only with regard to family matters and is administered by the Qadi. Civil marriage is permitted only for non-Muslim foreigners. Muslims are required to marry in a religious ceremony, and non-Muslim men may marry a Muslim woman only after converting to Islam.

The Ministry of Muslim Affairs monitors the activities of Muslims, but it does not restrict their religious practices.

The President is required to take a religious oath at inauguration; however, other government employees are not required to do so.

#### *Abuses of Religious Freedom*

Unlike in the period covered by the previous report, there were no credible reports that the police targeted Ethiopian Pentecostal Christians when conducting the apprehension and deportation of persons living illegally in the country.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. The large presence of French Catholics and Ethiopian Orthodox Christians for almost a century has led to considerable familiarity with and tolerance of other faiths by the Muslim majority. Persons born as Catholics face no discrimination from Muslim relatives. In many cases, these Catholics are children or grandchildren of persons raised in French Catholic orphanages during the colonial period.

In Djiboutian Somali society, clan membership has more influence over a person's life than does religion. Djiboutian Somalis who are Christians often are buried according to Islamic traditions by relatives who do not recognize their non-Muslim faith.

There is no formal interfaith dialog. The Catholic Church organizes an annual celebration with all the other Christian churches. The Qadi receives Ramadan greetings from Pope John Paul II. He meets with the heads of other faiths only at government-organized ceremonies.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Embassy representatives periodically meet with leaders and members of religious communities and with U.S. nongovernmental organizations with a missionary component. The U.S. Embassy invited leaders from the Muslim and Catholic faiths to say prayers during Embassy ceremonies to promote interfaith understanding.

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## EQUATORIAL GUINEA

The law provides for freedom of religion; however, in practice the Government limited this right in some respects.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government discourages criticism by religious groups and restricts activities outside church premises.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government during periodic visits to the country in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 10,831 square miles, and its population is approximately 474,200. The population is approximately 93 percent Christian, 5 percent practitioners of traditional indigenous religions, and less than 1 percent each Muslim, Baha'i, other religions, and those who are nonreligious. The principal religion is Roman Catholicism, dating from the Spanish colonial period, when almost the entire population was baptized into this faith. Of the Christian population, approximately 87 percent at least nominally are Catholic, and approximately 4.5 percent belong to Protestant denominations, primarily Baptist and Episcopalian. In practice the actual number of practitioners of traditional indigenous religions is much higher, although the exact figure is unknown. Many baptized Catholics reportedly still follow traditional beliefs. There is no known organized Christian worship in large parts of the country. The ethnic minorities, such as the Ngumba, Yaka, Puku, and Benga, have no known organized religious congregations.

Foreign missionary groups operate in the country, both in Bioko and on the mainland, including Seventh Day Adventists, Assemblies of God, and Jehovah's Witnesses. Nondenominational evangelical Christian groups also are present.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The law provides for freedom of religion; however, in practice the Government limited this right in some respects.

The Government generally allows preaching, religious teaching, education, and practice by believers. The Government requires permission for any activities outside church walls; however, in practice this requirement does not appear to hinder organized religious groups.

A religious organization must be registered formally with the Ministry of Justice and Religion before its religious activities are allowed. While religious groups must be approved and registered to function legally, there were no reports during the period covered by this report that the Government refused to register any group. However, information regarding the exact procedure for registering a religious denomination was not available. For example, the Assemblies of God received official recognition in 1993; however, from 1987 through 1993, the group was able to operate although it was not recognized officially. The approval process usually takes several years, but such delay apparently is due primarily to general bureaucratic slowness and is not the result of a policy designed to impede the operation of any religious group. The exact number of registered denominations is not available.

Foreign missionaries work throughout the country, generally without impediment.

##### *Restrictions on Religious Freedom*

The Government and President Teodoro Obiang Nguema's ruling Democratic Party of Equatorial Guinea (PDGE) have reacted defensively to any criticism, and the Government continued to restrict freedom of expression of the clergy, particularly regarding any open criticism of the Government. The Government requires permission for any religious activity outside church walls; however, in practice this requirement did not appear to hinder organized religious groups. There were some reports that a growing international presence and the Government's focus on petroleum exploration and development resulted in a decrease of religious restrictions during the period covered by this report; however, these reports could not be confirmed.

A 1992 law includes a stated official preference towards the Catholic Church and the Reform Church of Equatorial Guinea due to their traditional roots and well-known influence in the social and cultural life of the populace. For example, a Roman Catholic Mass normally is part of any major ceremonial function, such as October 12, a national day.

Religious study is required in schools and is usually, but not exclusively, Catholic.

The Autonomous Rural Development (DAR), a Catholic nongovernmental organization (NGO), sometimes was required to have a government delegate present at its

meetings. This restriction apparently was in response to government fears that DAR encourages antigovernment sentiment. The Government required that DAR in the diocese of Ebibeyin inform the local delegate each time that it had a board meeting. The DAR complied with the requirement and received permission to meet, but the local delegate insisted on being present during the meetings. The DAR refused to hold meetings with the delegate present, and consequently it did not hold official meetings during the period covered by this report.

In 2001 some citizens working as missionaries received nonspecific warnings from the Ministry of Justice and Religion against voting for candidates who were not PDGE members; most missionaries were told to appear before the Ministry. Neither further warnings nor a meeting at the Ministry occurred by the end of the period covered by this report.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relations among religions in society contributed to religious freedom. Some religious groups believe that they face societal pressures within their regions; however, no specific incidents or violence stemming from religious discrimination have been reported, and such concerns may reflect ethnic or individual as much as religious differences.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy based in Yaounde, Cameroon, maintains contact with religious groups, especially American missionaries in the country, and monitors any religious initiatives during periodic visits. During the period covered by this report, Embassy staff met with various religious leaders.

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## ERITREA

The Constitution provides for freedom of religion; however, the Government restricted this right in the case of Jehovah's Witnesses and instituted new restrictions on other religious groups that do not have a long history in the country.

Respect for religious freedom deteriorated during the period covered by this report. The Government instituted new restrictions on religious groups known collectively as "Pentes." Pentes include all groups that do not belong to the four principal religions: Orthodox Christian, Muslim, Catholic, and Evangelical Christians such as Pentecostals, Born Again Christians, Seventh-Day Adventists, Baha'is, Buddhists, and other Protestants. In 2001 the Government began closing Pente facilities. Following a May 2002 government decree that all religious groups must register or cease all religious activities, all religious facilities not belonging to the four principal religions were closed by the end of the period covered by this report. The Government also continued to harass, detain, and discriminate against members of the small community of Jehovah's Witnesses.

Citizens generally are very tolerant of one another in the practice of their religion; however, societal attitudes toward Jehovah's Witnesses are the exception to this widespread tolerance. During the period covered by this report, there was a continued reduction in societal hostility toward Jehovah's Witnesses.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 48,489 square miles, and its population is approximately 3.5 million. Although reliable statistics are not available, approximately 50 percent of the population are Sunni Muslim, and approximately 40 percent are Orthodox Christian. The population also includes a small number of Eastern Rite and Roman Catholics (5 percent), Protestants (2 percent), smaller numbers of Seventh-Day Adventists, and fewer than 1,500 members of Jehovah's Witnesses. A small mi-

nority, perhaps 2 percent, practices traditional indigenous religions. Also present in very small numbers are practicing Buddhists, Hindus, and Baha'is. Generally the population in the eastern and western lowlands predominantly is Muslim and in the highlands predominantly is Christian. There are very few atheists. Religious participation is high among all groups.

Within the country's geographic, ethnic, and political concentrations, the majority of members of the Tigrinya ethnic group are Orthodox Christian, with the exception of the Djiberti Tigrinya, who are Muslim. The majority of the Tigre, Saho, Nara, Afar, Rashaida, Beja, and Blen ethnic groups are Muslim. A majority of the Kunama are Roman Catholics or Muslims, and some practice traditional indigenous religions. Approximately 40 percent of the Blen are Christian, the majority of whom are Catholic. The majority of members of the Kunama ethnic group are Catholic, Muslim, and practitioners of traditional indigenous religions. The central and southern highland areas, which generally are more economically developed than the lowlands, predominantly are populated by Christian Tigrinyas and also some Muslim Djiberti and Saho. The Afar and Rashaida ethnic groups, and some of the Saho and Tigre ethnic groups, live in the eastern lowlands. The Blen live on the border between the western lowlands and the central highlands and are concentrated in the Keren area, which also includes a significant minority of Tigre and Tigrinya speakers. The Beja, Kunama, Nara, and the majority of Tigre live in the western lowlands.

Some foreign missionaries operate in the country, including representatives of the Catholic, Protestant, and Muslim faiths. There also are several international religious nongovernmental organizations (NGO's) that provide humanitarian aid, including Caritas, Dutch Interchurch Aid, Norwegian Church Aid, Lutheran Church Aid, Catholic Relief Services, and the Mufti's Relief Organization, the relief arm of the Muslim religion.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, including the freedom to practice any religion and to "manifest such practice," and Islam and Christianity are practiced widely and largely are tolerated throughout the country with persons free to worship at the mosque or church of their choice; however, the Government restricted this right in the case of Jehovah's Witnesses and instituted new restrictions on Pente groups. The Government also does not respect fundamentalist forms of Islam.

In May 2002, the Minister of Information issued a decree that all religious groups must register or cease all religious activities. A government committee plans to review the applications received for registration, which will be approved if they conform to local culture. No decisions were made by the end of the period covered by this report; however, comments from senior government officials indicate that groups without significant historical ties to the country will not be licensed to operate.

The Government owns all land, and any religious organization that seeks facilities for worship other than private homes must seek government approval to build such facilities.

Religious organizations, including religious NGO's, do not receive duty free privileges, although they sometimes are allowed to import items under the reduced duty structure used for corporations.

The Government prohibits political activity by religious groups, and the Government's Directorate of Religious Affairs in the Ministry of Local Government monitors religious compliance with this proscription against political activity.

### *Restrictions on Religious Freedom*

In 2001 the Government began closing Pente facilities those churches not belonging to the four principal religions in the country. Following a May 2002 government decree that all religious groups must register or cease all religious activities, all religious facilities not belonging to the Orthodox Christian, Muslim, Catholic, or Evangelical Christian faiths were closed by the end of the period covered by this report. Authorities also informed Pente groups that a standing law would be used to stop political or other gatherings in private homes of more than five persons; however, there were no reports that the standing law was enforced during the period covered by this report.

In a 1995 proclamation, the Government described specific guidelines regarding the role of religion and religiously affiliated NGO's in development and government,

stating that development, politics, and public administration are the sole responsibility of the Government and citizens.

The 1995 proclamation bans religious organizations from involvement in politics and restricts the right of religious media to comment on political matters. Pursuant to the 1995 proclamation, religious organizations are permitted to fund, but not initiate or implement, development projects; however, this proclamation was not enforced in practice—several religious organizations executed small-scale development projects without government interference. The proclamation also set out rules governing relations between religious organizations and foreign sponsors.

Muslims and Roman Catholics were required to pay a Rehabilitation Tax to recover properties that were expropriated by the previous regime; however, the tax was not enforced as rigorously against the Orthodox Church properties.

In 1998 the authorities informed all religious organizations that all schools run by religious denominations providing general education would be incorporated into the public school system. At the time, it was not made clear whether the clerical authorities would continue to administer the curriculum with government oversight or whether the school faculty would be absorbed into the Ministry of Education. However, no action has been taken to implement this initiative. In 1998 the Government decreed that religiously affiliated organizations were prohibited from running kindergartens; however, this decree was not carried out. According to officials in the Religious Affairs Office, the Government allows religious schools to operate independently as long as they adhere to a standard curriculum.

There are no chaplains in the military; however, military personnel are free to worship at nearby houses of worship.

#### *Abuses of Religious Freedom*

Jehovah's Witnesses have several churches, and members are not barred from meeting in private homes; however, the Government continued to harass, detain, and discriminate against members of the small community of Jehovah's Witnesses. In 1994 in accordance with a presidential decree, the Government revoked the trading licenses of some members of Jehovah's Witnesses and dismissed most of those who worked in the civil service. This governmental action resulted in economic, employment, and travel difficulties for many members of Jehovah's Witnesses, especially former civil servants and businessmen. In 1997 the government labor office issued a form to all employers in Asmara and the surrounding area requesting information regarding any government personnel who were members of Jehovah's Witnesses. In addition to these measures, members of Jehovah's Witnesses also often are denied identification cards, passports, exit visas, trading licenses, and government housing unless they hide their religion.

Most members of Jehovah's Witnesses have refused on religious grounds to participate in national service or to vote, which has led to widespread criticism that members of Jehovah's Witnesses collectively were shirking their civic duty. Some Muslims also have objected to universal national service because of the requirement that women perform military duty. The Government does not excuse individuals who object to national service for religious reasons or reasons of conscience, nor does the Government allow alternative service. Although persons from other religious groups, including Muslims, reportedly have been punished in past years for failure to participate in national service, only members of Jehovah's Witnesses have been subject to dismissal from the civil service, revocation their trading licenses, eviction from government-owned housing, and denial of passports, identity cards, and exit visas. However, there were no reports that Jehovah's Witnesses who performed national service and participated in the national independence referendum were subject to discrimination.

There is no indication that any persons are detained or imprisoned solely because of their religious beliefs or practices; however, the Government has singled out members of Jehovah's Witnesses for harsher treatment than that received by members of other faiths for similar actions. At the end of the period covered by this report, four members of Jehovah's Witnesses remained in detention without charge and without being tried for failing to participate in national service. The individuals have been detained for varying periods of time, some for more than 5 years. The maximum penalty for refusing to do national service is 3 years. Ministry of Justice officials have denied that any members of Jehovah's Witnesses were in detention without charges, although they acknowledge that some members of Jehovah's Witnesses and a number of Muslims were in jail serving sentences for convictions on charges of evading national service.

The army resorted to various forms of extreme physical punishment to force objectors, including some members of Jehovah's Witnesses, to perform military service.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Citizens generally are very tolerant of one another in the practice of their religion. Mosques and Christian churches of all orders coexist throughout the country, although Islam tends to predominate in the lowlands and Christianity in the highlands. In Asmara Christian and Muslim holidays are respected by all religions. Some holidays are celebrated jointly.

Societal attitudes toward Jehovah's Witnesses are the exception to widespread religious tolerance. Members of Jehovah's Witnesses generally are disliked and face some societal discrimination because of their refusal to participate in the independence referendum in 1993 and to perform national service, a refusal that is seen widely as unpatriotic. However, during the period covered by this report, there was a slight reduction in societal hostility towards Jehovah's Witnesses.

Church leaders of most denominations, in particular leaders of the Orthodox Christian, Catholic, Islamic, and Protestant denominations, meet routinely and engage in ongoing efforts to foster cooperation and understanding among religions, with the exception of Jehovah's Witnesses. Leaders of the four major religious organizations enjoy excellent interfaith relations. In July 2000, in Oslo, Norway, the leaders met with their Ethiopian counterparts for the fourth time in an ecumenical peace effort to resolve the Eritrea-Ethiopia conflict. In February 2002, the leaders and Foreign Ministry officials met with their Ethiopian religious counterparts in Eritrea. The religious leaders then traveled to Ethiopia to continue their discussions. They issued statements appealing for peace and reconciliation between the two countries. The two groups of religious leaders also met in July 2002 and vowed to continue their work on this issue.

In 1999 leaders of the Catholic, Orthodox, Protestant, and Muslim faiths created Good Deeds in Unity, an organization to help ethnic Eritrean expellees from Ethiopia, Eritreans displaced by the war, and other needy persons in the country. This organization works with the government relief agency, the Eritrean Relief and Refugee Affairs Commission.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy meets regularly with leaders of the religious community and the Government's director of religious affairs.

The U.S. Ambassador and other Embassy officers have raised the case of Jehovah's Witnesses with government officials in the President's Office, the Ministry of Foreign Affairs, the High Court, the Ministry of Justice, and in media interviews.

**ETHIOPIA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, on occasion local authorities infringed on this right.

There was no change in the status of respect for religious freedom during the period covered by this report. There were several reports of clashes between Muslims and members of the Ethiopian Orthodox Church. While some Muslim leaders continued to complain that public school authorities sometimes interfered with their free practice of Islam because they prohibited the wearing of headscarves in school, others accepted that school officials do so to keep better track of their students. Protestant groups occasionally complained that local officials discriminate against them when seeking land for churches and cemeteries.

While the relationship among religions in society is generally amicable, there continued to be pockets of interreligious tension and criticism between followers of evangelical and Pentecostal churches, on the one hand, and Ethiopian Orthodox Christians, on the other. During the period covered by this report, a violent conflict broke out between Christians and Muslims.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 699,946 square miles and a total population of approximately 63 million. More than 40 percent of the population adhere to the Ethiopian Orthodox Church (EOC), the single largest religious group. The EOC claims 50 percent of the country's total population, or more than 31 million adherents, and 110,450 churches. The EOC is predominant in the northern regions of Tigray and Amhara. Approximately 40 percent of the population is Muslim, although many Muslims claim that the actual percentage is higher. Islam is most prevalent in the Somali and Afar regions, as well as in parts of Oromia. Evangelical and Pentecostal Protestantism are the fastest growing faiths and constitute more than 10 percent of the population. According to the Evangelical Church Fellowship, there are 7.4 million Protestants, although this figure may be a high estimate. Established Protestant churches such as Mekane Yesus and Kale Hiwot are strongest in the Southern Nations, Nationalities, and People's Region (SNNPR), western and central Oromia, and in urban areas around the country. There are more than 6,000 Jehovah's Witnesses in the country. Oriental Rite and Latin Rite Roman Catholics, Jews, animists, and other practitioners of traditional indigenous religions make up most of the remaining population. There are very few atheists. Although precise data are not available, active participation in religious services is high throughout the country.

In Addis Ababa and western Gondar in the Amhara region, there are very small concentrations of Ethiopian Jews (Falashas) and those who claim that their ancestors were forced to convert from Judaism to Ethiopian Orthodoxy (Feles Mora). Approximately 3,000 Feles Mora migrated voluntarily from the western Amhara region to Addis Ababa in 1991 at the time of "Operation Solomon," when a large number of Falashas were airlifted to Israel. The Feles Mora also seek to immigrate to Israel. The number of Feles Mora in the country at the end of the period covered by this report was approximately 20,000. Israeli officials evaluate the Feles Mora immigration claims on a case-by-case basis and estimate that by the end of 2001, approximately 65 individuals were immigrating to Israel under Israel's law of return each week. The Israeli Embassy in Addis Ababa processed approximately 3,000 claims annually.

A large number of foreign missionary groups operate in the country, including Catholic and American Protestant missionaries. Protestant organizations, operating under the umbrella of the 12-member Evangelical Church Fellowship of Ethiopia, sponsor or support missionary work: the Baptist Bible Fellowship; the New Covenant Baptist Church; the Baptist Evangelical Association; Mekane Yesus Church (associated with the Lutheran Church); Kale Hiwot Church (associated with SIMService in Mission); Hiwot Berhan Church (associated with the Swedish Philadelphia Church); Genet Church (associated with the Finnish Mission); Lutheran-Presbyterian Church of Ethiopia; Emnet Christos; Muluwongel (Full Gospel) Church; and Messerete Kristos (associated with the Mennonite Mission). There also is missionary activity among Pentecostals, Jehovah's Witnesses, and the Church of Jesus Christ of Latter-Day Saints (Mormons).

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, on occasion local authorities infringed on this right. The Constitution requires the separation of religion and the state and prohibits a state religion, and the Government respects these rights in practice.

The Government requires that religious groups be registered. Religious institutions, like nongovernmental organizations (NGO's), are registered with the Ministry of Justice, and must renew their registration every year. Unlike NGO's, religious groups are not subject to a rigorous registration process. Under current law, a religious organization that undertakes development activities must register its development wing separately as an NGO. Religious groups are not accorded duty-free status. Religious groups are given free government land for churches, schools, hospitals, and cemeteries; however, the title to the land remains with the Government, and the land, other than that used for prayer houses or cemeteries, may be taken back at any time. Religious groups, like private individuals or businesses, must apply to regional and local governments for land allocation. An interfaith effort to promote revision of the law in order for religious organizations to obtain duty-free status continued during the period covered by this report.

In most interreligious disputes, the Government maintains neutrality and tries to be an impartial arbitrator. Some religious leaders have requested the establishment

of a federal institution to deal with religious groups. The Government considered the request; however, no action was taken to establish such a federal institution by the end of the period covered by this report.

The Government officially recognizes both Christian and Muslim holidays, and continues to mandate a 2-hour lunch break on Fridays to allow Muslims to go to a mosque to pray. The Government also agreed to a request from Muslim students at Addis Ababa Commercial College to delay the start of afternoon classes until 1:30 p.m. to permit them to perform afternoon prayers at a nearby mosque.

When the Government began deporting Eritreans and Ethiopians of Eritrean origin in 1998, it decided that members of Jehovah's Witnesses who were of Eritrean origin, who might face religious persecution in Eritrea, were not to be subject to deportation.

#### *Restrictions on Religious Freedom*

The Government does not issue work visas to foreign religious workers unless they are attached to the development wing of a religious organization.

Under the press laws, it is a crime to incite one religion against another. The press law also allows for defamation claims involving religious leaders to be prosecuted as criminal cases. In 2001 two journalists were detained and charged with defamation after writing articles critical of the EOC. Tilahun Bekele, publisher of Netsanet, and Daniel Gezahegn, deputy editor-in-chief of Mogedwere, were released on bail in 2001; however, the charges against them were pending at the end of the period covered by this report.

Evangelical leaders have complained of strict regulations on the importation of Bibles, as well as heavy customs duty on Bibles and other religious articles; however, Bibles and religious articles are subject to the same customs duty as all imported books and most imported items.

While some Muslim leaders continued to complain that public school authorities sometimes interfered with their free practice of Islam because they prohibited the wearing of headscarves in school, others accepted that school officials do so to keep better track of their students. Certain public school teachers in the SNNPR, Addis Ababa, and in the Amhara region objected to Muslim schoolgirls covering their heads with scarves while at school. According to Muslim leaders, school officials negatively react to the practice of fully covering the face and hands of female students. Muslim leaders stated that in some schools, Muslim girls go without head coverings in order to avoid similar problems.

The Government has interpreted the constitutional provision for separation of religion and state to mean that religious instruction is not permitted in schools, whether they are public or private schools. Catholic, Orthodox, evangelical, and Muslim-owned and operated schools are not permitted to teach religion as a course of study. Most private schools teach morals courses as part of school curricula, and the Government Education Bureau in Addis Ababa has complained that such courses are not free of religious influence. Churches are permitted to have Sunday schools, the Koran is taught at mosques, and public schools permit the formation of clubs, including those of a religious nature.

Minority religious groups have complained of discrimination in the allocation of government land for religious sites. Protestant groups occasionally complain that local officials discriminate against them when seeking land for churches and cemeteries. Evangelical leaders have complained that because they are perceived as "newcomers" they remain at a disadvantage compared with the EOC and the Supreme Islamic Council when it comes to the allocation of land. The Supreme Islamic Council has complained that it has more difficulty obtaining land from the government bureaucracy than the EOC; others believe that the EOC is favored for mosque locations. While local authorities in the northern town of Axum, a holy city for the Ethiopian Orthodox Church, continued to deny Muslim leaders' repeated requests to allocate land for the construction of a mosque there, they have said that they will consider the request as soon as Saudi Arabian officials allow a church to be built in Mecca, a holy city for Muslims. Members of Jehovah's Witnesses have said that due to the lack of good donated plots in the capital, they have purchased their own.

In 1998 the Government returned Evangelical Church property that was seized under the Mengistu regime (including the Mekane Yesus Church headquarters, which served as Federal Police headquarters until 1997); however, the Government still has not returned other properties to the Mekane Yesus Church, including three student hostels and two schools. The Government also has not returned to the Seventh-Day Adventists properties taken by the prior regime, including two hospitals. The Supreme Islamic Council continued to try to obtain properties that were confiscated outside of the capital under the Derg regime. A March 2002 declaration by the Oromia Regional State Parliament called for the return of all nationalized prop-

erty originally belonging to religious organizations; however, no property was returned by the end of the period covered by this report. Similar provisions were instituted in the Southern Region last year.

#### *Abuses of Religious Freedom*

In January 2001, in Harar, a riot broke out between Muslims and Christians (see Section III); the army was called in to restore order and reportedly shot and killed five persons. Authorities detained 14 persons during the incident, and by the end of the period covered by this report, all of the 194 persons originally detained had been released. No action was taken against any of the army officers who were involved in the incident.

In December 2000, Samson Seyoum Kebede, the former editor of Goh, fled the country. In 1999 Seyoum was convicted on charges of incitement to war and attempting to spread Islamic fundamentalism; he was sentenced to 4<sup>1</sup>/<sub>2</sub> years' imprisonment, but was released pending an appeal of his conviction. Under the Press Law, it is a crime to incite one religion against another.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Despite the country's broad level of religious freedom and tolerance for established faiths, there were instances of open conflict among religious groups before 1998. These occurred most noticeably between Ethiopian Orthodox Christians on the one hand, and Pentecostals and evangelicals on the other. In addition there continued to be pockets of interreligious tension and criticism during the period covered by this report. Members of newer faiths such as Jehovah's Witnesses and Pentecostals have encountered overt opposition from the public. Muslims and Orthodox Christians complain about proselytization by Pentecostals and Jehovah's Witnesses. Ethiopian Orthodox leaders complain that sometimes Protestants fail to respect Orthodox holy days and Orthodox customs. Muslims complain that some Pentecostal preachers disparage Islam in their services. There were complaints by Muslim leaders that the EOC's desire to "show supremacy" sometimes caused irritation in the regions.

In most sections of the country, Orthodox Christians and Muslims participate in each other's religious observances, and there is tolerance for intermarriage and conversion in certain areas, most notably in Welo, as well as in urban areas throughout the country. In the capital, Addis Ababa, persons of different faiths often live side-by-side. Most urban areas reflect a mixture of all religious denominations. Long-standing evangelical Protestant denominations, particularly the Mekane Yesus Church and Kåle Hiwot Churches, provide social services such as health care and education to nonmembers as well as to members. However, there were several clashes between Muslims and Orthodox Christians over the allocation of land during the period covered by this report.

On August 4, 2001, in Addis Ababa, police ordered a group of Muslims, who had begun to construct a mosque without a permit on unfenced land near an Ethiopian Orthodox church on a Sunday, to stop construction until the next day. On August 5, fighting began after Orthodox Christians attempted to dismantle the mosque; several persons were injured. Construction at the site did not resume by the end of the period covered by this report.

On November 30, 2001, in Abbis Ababa, Muslims and Orthodox Christians began fighting after Christians in the community requested that the Muslim community demolish a mosque being built without a permit on a small soccer field. One person was killed, several persons were injured, and several persons were arrested. No further action was taken by the end of the period covered by this report.

On December 30, 2001, in Abbis Ababa, Muslims and Ethiopian Orthodox Christians fought over a parcel of land that both groups claimed to be their own. The disputed parcel originally was allocated to the Muslim community; however, no permission was given to construct a mosque on the property. After 2 years, the Muslim community began constructing the mosque at night without permission, which led to clashes with local members of the EOC. According to reports from the Islamic Affairs Council, 2 Muslims were killed during those clashes, and police arrested an estimated 100 persons. All of those arrested subsequently were released, and construction of the mosque did not resume by the end of the period covered by this report.

During the period covered by this report, there also were clashes between Orthodox Christians and Muslims during processions celebrating the Ethiopian Orthodox holiday of Timket or Epiphany. For example, on January 19, 2002, in Kemisse, the capital of the Oromiya Zone in the Amhara Region, one person was killed during a clash between Muslims and Christians. According to police reports, they arrested several persons for organizing the disruption or throwing rocks at the procession; however, all of those arrested subsequently were released. It remained unknown who was responsible for the killing by the end of the period covered by this report. On that same day, in Jijiga in the Somali Region, there were reports of similar clashes during which several Christians reportedly were injured by rocks thrown by Muslims.

The Islamic Affairs Council estimates that 100 mosques were burned in the Oromiya Region during the last 3 years. The Islamic Council continued to investigate the fires at the end of the period covered by this report. Although the identities of those responsible is unknown or not released publicly, 12 executive members of the Oromiya branch of the Supreme Islamic Council were removed from their positions for not stopping the destruction of mosques in the region.

In January 2001, in Harar, a riot broke out between Muslims and Christians after several members of a Christian procession entered a mosque and disrupted Muslim services. Both groups accused each other of destroying religious property. After the local police no longer were able to control the rioting, the army was called in to restore order and reportedly shot and killed five persons; it was not known whether the rioters fired weapons in return. No actions were taken against the army, and the case officially is closed. In January and February 2001, the EOC and the Supreme Islamic Council worked together and with local, regional, and national level government representatives in Harar to restore relations between the two faiths. That interfaith council, which includes representatives from the Protestant and Catholic Churches in the area, continued to cooperate on issues including interfaith conflict.

In February 2002, the Patriarch of the Ethiopian Orthodox Church, the chairman of the Ethiopian Islamic Affairs Supreme Council, the Archbishop of the Ethiopian Church, and the president of the Ethiopian Evangelical Church Mekane Yesus met with their Eritrean counterparts and officials from the Eritrean Foreign Ministry in Eritrea. The religious leaders then traveled to Ethiopia to continue their discussions. They issued statements appealing for peace and reconciliation between the two countries. The two groups of religious leaders also met in July 2002 and vowed to continue their work on this issue.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy meets regularly with the leaders of all of the religious communities. Embassy officers made an active effort to visit all of the religious groups and religious NGO's during the period covered by this report. Embassy officers met with the Supreme Islamic Council, Serving in Mission (SIM), Mekane Yesus, Jehovah's Witnesses, the Catholic Church, the Seventh-Day Adventist Church, and the Ethiopian Orthodox Church during the period covered by this report.

The U.S. Ambassador continued to hold regular meetings with all religious leaders to promote HIV/AIDS awareness. In addition the U.S. Agency for International Development (USAID) continued to work with the Ethiopian Orthodox Development Assistance Authority to provide food commodities and grants to support food security programs in four areas. USAID also supported a variety of programs through Catholic Relief Services, World Vision International, and Family Health International. USAID also continued to work with the EOC and Mekane Yesus Church, and during the period covered by this report, USAID began programs with the Ethiopian Kale Hiwot Church and the Missionaries of Charity Sisters to support HIV/AIDS programs.

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## GABON

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 103,347 square miles, and its population is 1,225,000. Major religions practiced in the country include Christianity (Catholicism and Protestantism), Islam, and traditional indigenous religions. Government statistics indicate that approximately 60 percent of the country's citizens practice Christianity, almost 40 percent practice traditional indigenous religions, and only 1 percent practice Islam. However, Muslims make up a much larger proportion of the total population, especially among noncitizens. Many persons practice both elements of Christianity and elements of traditional indigenous religions. It is estimated that approximately 73 percent of the population, including noncitizens, practice at least some elements of Christianity, approximately 12 percent practice Islam, approximately 10 percent practice traditional indigenous religions exclusively, and approximately 5 percent practice no religion or are atheists.

Noncitizens constitute approximately 20 percent of the population. A significant portion of these noncitizens come from countries in West Africa with large Muslim populations. Approximately 80 to 90 percent of the 12 percent of the total population who practice Islam are foreigners. However, the country's President is a member of the Muslim minority.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. A 1983 decree banning Jehovah's Witnesses, which the Government promulgated on the grounds that Jehovah's Witnesses allegedly do not protect adequately individuals who might dissent from the group's views, remained in effect; however, the Government did not enforce the ban.

The Ministry of the Interior maintains an official registry of some religious groups; however, it does not register traditional religious groups. The Government does not require religious groups to register but recommends that they do so to assemble with full constitutional protection. No financial or tax benefit is conferred by registration.

Islamic, Catholic, and Protestant denominations operate primary and secondary schools in the country. These schools are required to register with the Ministry of Education, which is charged with ensuring that these religious schools meet the same standards required for public schools. The Government does not contribute funds to private schools, whether religious or secular.

Both Catholic and Protestant radio stations broadcast in the country.

The Government promotes interfaith relations by facilitating meetings of leaders of the Roman Catholic Church hierarchy and the Islamic Council. Such meetings are held periodically, usually once every year or every other year.

##### *Restrictions on Religious Freedom*

The Government has refused to register approximately 10 religious groups, including Jehovah's Witnesses. In practice the Government allows Jehovah's Witnesses to assemble and practice their religion. In addition the Government has made uncorroborated claims that it permitted Jehovah's Witnesses to proselytize.

Some Protestants alleged that the government television station accorded free transmission time to the Catholic Church but not to minority religious groups. Others alleged that the armed forces favor Roman Catholics and Muslims in hiring and promotion. In previous years, some Protestant pastors alleged that local officials discriminated against them by making it difficult to obtain building permits to construct churches.

There were no reports of religious prisoners or detainees.

##### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. There were no reports of interreligious violence or intrareligious incidents during the period covered by this report.

There were occasional incidents of violence in which practitioners of some traditional indigenous religions inflicted bodily harm on other persons; however, the details of these incidents were uncertain. The Ministry of the Interior has stated that violence and bodily harm to others in the practice of a traditional religion is a criminal offense and is prosecuted vigorously. Media reports suggested that this was true; however, little information about such prosecutions or their results was available.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy officials have met with leaders of the Catholic Church, as well as the Islamic Superior Council. Contacts are maintained with the Ministry of Interior to discuss the general state of religion in the country. The Embassy also maintains close contacts with various Christian missionary groups in the country.

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**THE GAMBIA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 3,861 square miles, and its population is 1,367,124. Muslims constitute more than 90 percent of the population. The main Muslim schools are Tijaniyah, Qadiriya, Muridiyah, and Ahmadiyah. Except for the Ahmadiyah, all branches pray together at common mosques. An estimated 9 percent of the population practice Christianity and 1 percent practice traditional indigenous religions. The Christian community predominantly is Roman Catholic; there also are several Protestant denominations, including Anglicans, Methodists, Baptists, Seventh-Day Adventists, Jehovah's Witnesses, and various small Protestant evangelical denominations. There is no information available regarding the number of atheists in the country.

Foreign missionary groups operate in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion.

In December 2000 and January 2001, after President Yahya A.J.J. Jammeh reportedly mentioned the issue of Shari'a (Islamic law) during a meeting with religious leaders, political figures and the public engaged in a series of discussions and radio and newspaper editorials regarding the merits of Shari'a law. In response to these deliberations, the Government announced that it had no intention of imposing Shari'a law. However, Shari'a law usually is applied in divorce and inheritance matters for Muslims.

The Government does not require religious groups to register. Religiously based nongovernmental organizations (NGO's) are subject to the same registration and licensing requirements as other NGO's.

The Government permits and does not limit religious instruction in schools. Bible and Koranic studies are provided in both public and private schools throughout the

country without government restriction or interference. Religious instruction in public schools is provided at government expense, but is not mandatory.

The Government considers the following religious holidays national holidays: Tobaski, Muwlud-Al-Nabi, Eid El-Fitr, Good Friday, Assumption Day, and Christmas Day. Religious holidays do not impact any religious group negatively.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

In July 2001, the National Intelligence Agency (NIA) arrested Imam Baba Leigh of the Kanifing mosque for allegedly criticizing the Government; Leigh preached against corruption and waste of public funds in unnecessary ceremonies during prayers. Leigh was released after several hours without charges on bail of \$6,000 (100,000 dalasi), and was asked to report to the NIA the next day. No subsequent action was taken. Leigh continued to lead prayers at the mosque, and said he was not threatened by the arrest, and planned to continue giving sermons and interpreting the Islamic perspective in society.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Intermarriage between members of different religious groups is legal and socially acceptable.

In June 2002, the media reported that religiously-motivated kidnapers abducted a 13 year-old-girl in Tanji village and forcefully circumcised her. Practitioners of female genital mutilation (FGM) and other types of circumcision in the country firmly believe that Islam mandates it and its surrounding rites; however, Imam Baba Lee of the Kanifing Mosque declared that Islam forbids such harmful customs. Police filed criminal charges against the kidnapers, and no further action was taken during the period covered by this report.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights.

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## GHANA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some limits on this right.

There was no change in the status of respect for religious freedom during the period covered by this report. In the past, the Government did not always prosecute those responsible for religious violence; however, the Government increased its prosecution of violent acts, including religious violence, and all incidents of religious violence were prosecuted during the period covered by this report.

Tension persists between a segment of the Christian community and traditional authorities over the annual ban on drumming in the ethnic Ga traditional area; however, unlike in previous years, there were no incidents of violence during the 2002 ban on drumming. The country's legal code prohibits ritual or customary servitude; however, Trokosi, a form of religious indoctrination and forced servitude, exists on a limited scale in the Volta Region.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of approximately 92,000 square miles, and its population is 19.5 million. According to the 2000 government census, approximately 69 percent of the country's population is Christian, 16 percent is Muslim, and 9 percent adheres to traditional indigenous religions or other religions. The Muslim community has protested these figures, asserting that the Muslim population is closer

to 30 percent. Other religions include the Baha'i Faith, Buddhism, Judaism, Hinduism, Shintoism, Ninchiren Shoshu Soka Gakkai, Sri Sathya Sai Baba Sera, Sat Sang, Eckanker, the Divine Light Mission, Hare Krishna, Rastafarianism, and other international faiths, as well as some separatist or spiritual churches or cults, which include elements of Christianity and traditional beliefs such as magic and divination. Zetahil, a practice unique to the country, combines elements of Christianity and Islam. There are no statistics available for the percentage of atheists in the country. Atheism does not have a strong presence, as most persons have some spiritual and traditional beliefs.

Christian denominations include Roman Catholic, Methodist, Anglican, Mennonite, Evangelical Presbyterian, Presbyterian, African Methodist Episcopal Zionist, Christian Methodist, Evangelical Lutheran, F'eden, numerous charismatic faiths, the Church of Jesus Christ of Latter-day Saints (Mormons), Seventh-Day Adventist, Pentecostal, Baptist, and the Society of Friends. Christianity often includes an overlay of traditional beliefs. No figure of the number of persons who attend services was available.

Traditional indigenous religions include a belief in a supreme being, referred to by the Akan ethnic group as Nyame or by the Ewe ethnic group as Mawu, and lesser gods who act as intermediaries between the supreme being and human beings. Veneration of ancestors also is a characteristic of traditional indigenous religions because ancestors also provide a link between the supreme being and the living and at times may be reincarnated. The religious leaders of those sharing these diverse beliefs commonly are referred to as priests and are trained in the arts of healing and divination. These priests typically operate shrines to the supreme deity or to one of the lesser gods, relying upon the donations of the public to maintain the shrine and for their own maintenance. One known group, Afrikania, also known as the Afrikan Renaissance Mission (ARM), actively supports traditional religious practices. Afrikania often criticizes the Government, foreign diplomatic missions, and nongovernmental organizations (NGO's) for corrupting traditional values and imposing foreign religious beliefs. Afrikania leaders claim the movement has more than 4 million followers; however, no independent confirmation of the claim was available.

Three principal branches of Islam are represented in the country: the orthodox Ahlussuna, the Tijanis, and the Ahmadis. A small number of Shi'a also are present.

The majority of the Muslim population is concentrated in the urban centers of Accra, Kumasi, Sekondi-Takoradi, Tamale, and Wa, and in northern areas of the country. The majority of the followers of more traditional religions mainly reside in the rural areas of the country. Christians live throughout the country.

Religions considered to be "foreign" include the Baha'i Faith, Buddhism, Hinduism, Shintoism, Ninchiren Shoshu Soka Gakkai, Sri Sathya Sai Baba Sera, Sat Sang, Eckankar, the Divine Light Mission, Hare Krishna, and Rastafarianism.

Foreign missionary groups operate freely in the country, including Catholic, Methodist, Presbyterian, Baptist, SeventhDay Adventist, Muslim, and Mormon groups.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some limits on this right.

Religious institutions that wish to have formal government recognition are required to register with the Registrar General's Department. This is a formality only, and there were no reports that the Government denied registration to any group. Most traditional religions, with the exception of the Afrikania Mission, do not register. Formally recognized religions are exempt from paying taxes on ecclesiastical, charitable, and educational activities that do not generate income from trade or business; however, religious organizations are required to pay taxes on business activities that generate income.

Government employees, including the President, are required to swear an oath upon taking office; however, this oath can be either religious or secular, depending on the wishes of the person taking the oath.

Foreign missionary groups operated in the country with a minimum of formal requirements and without restrictions.

The Government often takes steps to promote interfaith understanding. At government meetings and receptions, there generally is a multidominational invocation usually led by religious leaders from various faiths. In 2001 Parliament formed a joint committee to address problems surrounding the annual ban on drumming in the Ga traditional area prior to the Homowo Festival (see Section III).

*Restrictions on Religious Freedom*

In the past, the Government did not always prosecute those responsible for religious violence; however, the Government increased its prosecution of violent acts, including religious violence, and all incidents of religious violence were prosecuted during the period covered by this report.

In previous years, the Catholic Church in the archdiocese of Accra officially suspended a priest for conducting unorthodox “healing” services; however, there were no such incidents during the period covered by this report.

The Government requires that all students in public schools up to the equivalent of senior secondary school level attend a daily “assembly” or devotional service; however, in practice this regulation is not enforced always. The service is Christian and includes the recital of The Lord’s Prayer, a Bible reading, and a blessing. Students at the senior secondary school level are required to attend a similar assembly three times a week. Students attending government-administered boarding school are required to attend a nondenominational service on Sundays.

In September 2000, officials from the Ministry of Education met with the Ghana Muslim Students’ Association (GMSA) to discuss a petition concerning acts of discrimination against Muslims in some institutional organizations. Following the meeting, the Director General of the Ghana Education Service announced new regulations for all public educational institutions, including the stipulation that school authorities should not force students of minority religious groups to worship with the majority religious groups in school. In October 2000, the Minister directed all schools to respect the religious rights of all students; however, the Minister still received isolated reports of disrespect for the directive in some public schools. Afrikaania also publicly has urged the Government to stop requiring Christian “indoctrination” of children in all government-funded schools.

*Abuses of Religious Freedom*

In 2000 a government medical team, assisted by the police, forcibly immunized approximately 40 children from the First Century Gospel Church (Faith) in Jamestown, Accra, against poliomyelitis. When church members resisted the team’s attempts to conduct the immunizations, police arrested seven persons, including the church’s pastor. Church doctrine does not allow the administration of modern medicine to its members, and according to local reports, health teams had been prevented from immunizing the children for several years. Reports indicated that the local community supported the immunizations as being in the greater national interest. There were no reports of forced immunizations during the period covered by this report.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

There are generally amicable relations between the various religious communities, and spokesmen for these communities often advocate tolerance toward different religions; however, there was some tension among some religious groups. Public debate continued over religious worship versus traditional practices and respect for the rights and customs of others in a diverse society.

During the period covered by this report, there was continued tension between practitioners of the ethnic Ga tradition (the Ga are the original inhabitants of Accra, and some consider the Ga tradition to be a religion) and members of some charismatic churches over the annual ban by Ga traditional leaders on drumming and noise-making prior to the Ga Homowo (harvest) festival. Traditionalists maintain that their timehonored beliefs should be accorded due respect, while some Christians resent the imposition of bans, which they believe infringes on their right to worship as they please. In April 2000, religious and traditional leaders agreed to modify the ban, requiring drumming to be subdued and confined to the churches. On May 7, 2001, the first day of the 2001 ban, the Ga Traditional Council (GTC) announced that the agreement it had reached with local churches in 2000 was not applicable for 2001 and that the ban would apply to all drumming and noise-making. Christian churches claimed that the ban was unconstitutional and that they would not observe it. Several incidents of violence were reported during the 2001 ban on drumming. On May 23, 2001, the Forum of Religious Bodies in Ghana issued a statement, which was signed by seven religious councils, calling for peaceful coex-

istence and further negotiation with the GTC; however, a GTC leader stated that no agreement had been reached with the churches, and that he did not endorse any compromise. Although no agreement was reached, there were no reports of violence during the final two Sundays of the 2001 ban.

Following the violence, the Government also made extensive efforts to mediate between charismatic Christians and ethnic Ga traditionalists. In June 2001, a parliamentary committee was established to examine the ban on drumming and noise-making. Based on recommendations made by the committee in their November 2001 report, the Ga traditionalists and the Forum of Religious Bodies agreed that during the period of the 2002 ban, drumming and noise-making by churches should not exceed the decibel level proscribed by existing law. A monitoring team comprised of police, an environmental protection agency, and city authorities was formed to ensure that existing laws on public nuisance were enforced throughout the year, and not only during the period of the ban. A public education campaign also was launched to urge charismatic churches to respect existing law. As a result of these efforts, there were no incidents of violence during the May and June 2002 ban on drumming.

There were occasional reports of interreligious and intrareligious incidents but no violent incidents based on religious affiliation. There were no reports of intra-Muslim violence during the period covered by this report; however, tensions continued between members of the Tijanniya and Ahlussuna groups throughout the country. There were no developments in the 2000 case of three Muslims who were injured at Effiduase (Eastern Region) in a clash between two Muslim sects over doctrinal differences.

Trokosi, also known as Fiashidi, is a religious practice involving a period of servitude lasting up to 3 years. It is found primarily among the ethnic Ewe group in the Volta Region. A virgin girl, sometimes under the age of 10, but often in her teens, is given by her family to work and be trained in traditional religion at a fetish shrine for a period lasting between several weeks and 3 years as a means of atonement for an allegedly heinous crime committed by a member of the girl's family. In exceptional cases, when a girl of suitable age or status is unavailable, a boy can be offered. The girl, who is known as a Trokosi or a Fiashidi, then becomes the property of the shrine god and the charge of the shrine priest for the duration of her stay. As a charge of the priest, the girl works in the shrine and undergoes instruction in the traditional indigenous religion. In the past, there were reports that the girls were the sexual property of the priests; however, while instances of abuse may occur on a case-by-case basis, there is no evidence that sexual or physical abuse is an ingrained or systematic part of the practice. Shrine priests generally are male, but may be female as well. The practice explicitly forbids a Trokosi or Fiashidi to engage in sexual activity or contact during her atonement period. During that time, she helps with the upkeep of the shrine, which may include working on the shrine's farm, drawing water, and performing other agricultural or household labor. Trokosi may or may not attend school.

During the atonement period, most Trokosi do not live in the shrines, which generally are little more than fenced-in huts with small courtyards; many remain with their families or stay with members of the shrine who live nearby. During the girl's stay, her family must provide for the girl's needs, including food and clothing; however, in some cases families are unable to do so. After she has completed her service to the shrine, the girl's family completes their obligation by providing items that may include drinks, cloth, money, and sometimes livestock, to the shrine for a final release ritual. After the release ritual, the girl returns to her family and resumes her life, without, in the vast majority of cases, any particular stigma attaching to her status as a former Trokosi shrine participant. In very occasional cases, the family abandons the girl or cannot afford the cost of the final rites, in which case she may remain at the shrine indefinitely. She also may leave the shrine and return to her village, with her family's association then sundered with the shrine. Even when freed from the shrine, a Trokosi woman generally has few marketable skills and, depending on the customs of her village, may have difficulty getting married. Generally the women continue to associate themselves with the shrine, a voluntary association involving return visits for ceremonies. In many instances, when a Trokosi woman dies, even years or decades after she has completed her service and resumed her life in the village, her family is expected to replace her with another young girl, thus continuing the association of the family to the shrine from generation to generation.

Reports on the number of women and girls bound to various Trokosi shrines vary; however, shrines rarely have more than four girls serving their atonements at any one time. According to the local NGO International Needs, there were more than 2,000 women or girls in Trokosi shrines; however, according to credible reports from

international observers, there were no more than 100 girls serving at Trokosi shrines throughout the Volta Region (see Section IV). In addition in February and March 2002, several letters to the editor were published in which other local NGO's disputed the claims of International Needs.

In 1998 Parliament passed, and the President signed, comprehensive legislation to protect women and children's rights that included a ban on ritual servitude, which many activists interpreted to include Trokosi. According to human rights groups, such as International Needs, that have been campaigning against Trokosi for years, the practice has decreased in recent years because other belief systems have gained followers, and fetish priests who die have not been replaced. Adherents of Trokosi describe it as a practice based on traditional African religious beliefs; however, the Government does not recognize it as a religion.

Belief in witchcraft remains strong in many parts of the country. Rural women may be banished by traditional village authorities or their families for suspected witchcraft. Most accused witches are older women, often widows, who are identified by fellow villagers as the cause of difficulties, such as illness, crop failure, or financial misfortune. Many of these banished women go to live in "witchcamps," villages in the north populated by suspected witches. The women do not face formal legal sanction if they return home; however, most fear that they may be beaten or lynched if they return to their villages. The law provides protection for alleged witches. In the past, human rights NGO's estimated that the number of occupants of the witches' camp was growing; however, there are no definitive statistics regarding the number of women living in northern witchcamps, and international and domestic observers estimate that there are fewer than 850 women in the camps. The Commission for Human Rights and Administrative Justice (CHRAJ) and human rights NGO's have mounted a campaign to end this traditional practice, but have met with little success. Various organizations provide food, medical care, and other forms of support to the residents of the camps.

In addition to banishment, suspected witches are subject to violence and lynching. For example, in April 2001, a man living in Tongor in the Volta Region chopped off the hands of his 75-year-old aunt, claiming that she was a witch. Police arrested the assailant, but there were no further developments in the case by the end of the period covered by this report.

In 2000 an 80-year-old woman in the Volta Region was brought before a community tribunal when a local teacher accused her of being a witch. In his statement to the tribunal, the teacher said his bank account was depleted, animals had been eating the produce on his farm, and he recently had become impotent, all of which he attributed to witchcraft on the part of the woman. The tribunal ruled that the woman must compensate the teacher with a portion of rum, a pot of palm wine, and \$6 (12,000 cedis). In 2001 the local press reported that the woman took the case to the CHRAJ and filed a suit in circuit court against the tribunal members and the teacher, claiming that the accusation of witchcraft and subsequent tribunal hearing subjected her to slander and public humiliation. There were no further developments in the case during the period covered by this report.

There were no developments in the January 2001 case in which members of the Christo Asafo Christian church clashed with members of the Boade Baaka traditional shrine at Taifa, greater Accra Region, after shrine members accused a Christian woman of witchcraft.

The clergy and other religious leaders actively discourage religiously motivated violence, discrimination, or harassment.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government monitors religious freedom in the country and discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy officers meet periodically with various leaders of religious and traditional communities in the country.

In September 2001, Embassy officers conducted a survey of Trokosi shrines, which included four separate trips to the Volta Region and nearly 2 weeks in the field, along with extensive interviews of government officials, foreign Embassy officers, religious leaders, shrine priests, NGO representatives, members of civil society, and Trokosis themselves. Embassy officials identified no more than 2 dozen active Trokosi shrines in the Volta Region, with a total of fewer than 100 girls serving their atonement periods (see Section III).

## GUINEA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion; however, the Government reportedly favors Muslims over non-Muslims.

Relations between the various religions generally are amicable; however, in some areas, strong social pressure discourages non-Muslims from practicing their religion openly, and the Government tends to defer to local Muslim sensibilities.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 94,926 square miles, and its population is 7,164,823. Islam is demographically, socially, and culturally the dominant religion. According to credible estimates, approximately 85 percent of the population adheres to Islam, 10 percent follow various Christian faiths, and 5 percent hold traditional indigenous beliefs. Muslims in the country generally adhere to the Sunni branch of Islam; adherents of the Shi'a branch remain relatively few, although they are increasing in number. Among the Christian groups, there are Roman Catholic, Anglican, Baptist, Jehovah's Witnesses, Seventh-Day Adventist, and other Christian evangelical churches active in the country and recognized by the Government. There is a small Baha'i community. There are small numbers of Hindus, Buddhists, and practitioners of traditional Chinese religions among the expatriate community. Few citizens, if any, profess atheism.

Although there are no known organized heterogeneous or syncretistic religious communities, both Islam and Christianity have developed syncretistic tendencies, which reflect the continuing influence and acceptability of traditional indigenous beliefs and rituals.

Geographically, Muslims are a majority in all four major regions. Christians are most numerous in the capital, in the southern part of the country, and in the eastern forest region. Christians are found in all large towns throughout the country, with the exception of the Fouta Jallon region in the middle of the country, where the deep cultural entrenchment of Islam in Pular (or Fulani or Peuli) society makes it difficult for other religions to establish religious communities. Traditional indigenous religions are most prevalent in the forest region.

No data is available regarding active participation in formal religious services or rituals; however, the National Islamic League (NIL) estimates that 70 percent of Muslims practice their faith regularly.

The country's large immigrant and refugee populations generally practice the same faiths as citizens, although those from neighboring Liberia and Sierra Leone have higher percentages of Christians and adherents of traditional indigenous religions.

Foreign missionary groups are active in the country and include Roman Catholic, Philafricaine, Pentecostal Assemblies of Canada, and many American missionary societies.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion; however, the Government reportedly favors Muslims over non-Muslims.

The Government requires that all recognized Christian churches join the Association of Churches and Missions in order to benefit from certain government privileges such as tax benefits and energy subsidies.

The small Baha'i community practices its faith openly and freely, although it is not officially recognized; it is unknown whether the community has asked for official recognition.

Missionary groups are required to make a declaration of their aims and activities to the Ministry of Interior or to the NIL. With rare exceptions, foreign missionary groups and church-affiliated relief agencies operate freely in the country. There were no reports during the period covered by this report that government officials

obstructed or limited missionary activities by Jehovah's Witnesses, although they reported isolated instances of harassment in the past.

There were no reports that the Government required government ministers to take an oath on either the Koran or the Bible, a requirement that provoked criticism when it was imposed—apparently for the only time—in April 1999.

The government-controlled official press reports on religious events involving both Islamic and Christian groups.

There is a general tradition of Koranic schools, particularly strong in the Fouta Djallon region that was ruled during the 18th century as an Islamic theocracy. There also are a few scattered "Madrassa" schools, usually associated with a mosque in the northern part of the country. Private radical Islamic groups sponsor such schools with foreign funds. The schools have no link with the public school system and are not recognized by the Government.

Missionaries also run their own schools with no interference from the Government. Catholic and Protestant schools exist primarily in Conakry, but some exist throughout the country as well. They teach the National Curriculum (which is not influenced by religion), and there is a special education component for Christians. Lack of government investment in education infrastructure makes any kind of schooling attractive for citizens.

Both Muslim and Christian holidays are recognized by the Government and celebrated by the population.

The Government does not have a specific program to promote interfaith understanding; however, the Government uses all religious groups in its civic education efforts and national prayers for peace.

#### *Restrictions on Religious Freedom*

The NIL, a government-sponsored organization, represents the country's Sunni Muslim majority, which comprises approximately 85 percent of the population. The NIL's stated policy is to promote better relations with other religious denominations and dialog aimed at ameliorating interethnic and interreligious tensions. The Government and the NIL have spoken out against the proliferation of Shi'a fundamentalist groups on the grounds that they "generate confusion and deviation" within the country's Islamic family. On at least one occasion, they have refused to allow the opening of a foreign-funded Shi'a Islamic school, but otherwise have not restricted the religious activities of these groups.

Government support of the powerful, semi-official NIL has led some non-Muslims to claim that the Government uses its influence to favor Muslims over non-Muslims, although non-Muslims are represented in the Cabinet, administrative bureaucracy, and the armed forces. Conversions of senior officials to Islam, such as the former Defense Minister, are ascribed to the NIL's efforts to influence the religious beliefs of senior government leaders. The Government refrains from appointing non-Muslims to important administrative positions in certain parts of the country, in deference to the particularly strong social dominance of Islam in these regions. In July 2000, the Government announced that it would finance the renovation of Conakry's grand mosque at which President Conte worships; however, no action was taken during the period covered by this report and the mosque still is unrepaired.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations between the various religions generally are amicable; however, in some parts of the country, Islam's dominance is such that there is strong social pressure that discourages non-Muslims from practicing their religion openly.

In January 2000, violent clashes between Christian and Muslim villages in the forest region left 30 persons dead. According to both the Secretary General of the Islamic League and the Archbishop of Conakry, the tensions were due primarily to a long-running land dispute and were not based on religion. Instigators of the event were arrested, and in July 2001, were tried. Six persons were convicted and sentenced to death. There were no reports of clashes between Christian and Muslim groups during the period covered by this report.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government maintains contact with clergy and religious leaders from all major religious communities, monitors developments affecting religious freedom, and discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**GUINEA-BISSAU**

The Constitution provides for freedom of religion; however, the Government did not respect this right when in August 2001, President Yala abruptly expelled the Ahmadis, an Islamic religious group, from the country.

There was no change in the status of respect for religious freedom during the period covered by this report; however, observers have noted that since the November 2000 death of General Mane, who was an ethnic Mandinka and a Muslim, President Yala, who is an ethnic Balanta and a Christian, increasingly has been intolerant of other ethnic and religious groups.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 10,811 square miles, and its population is 1,285,715. Approximately half the population follows traditional indigenous religious practices. Approximately 45 percent of the population are Muslim and approximately 5 percent are Christian. There are few atheists.

Christians belong to a number of groups, including the Roman Catholic Church and various Protestant denominations. The Muslim population is concentrated in the Fula and Mandinka ethnic groups, and Muslims generally live in the north and northeast. Christians are concentrated in Bissau and other large towns. Practitioners of traditional religions inhabit the remainder of the country.

Missionaries from numerous Christian denominations long have been active.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion; however, the Government did not respect this right in one instance. There is no state religion.

The Government requires that religious groups be licensed; however, no applications have been refused. There were no reports that new applications were made during the period covered by this report.

Historically, political affiliation has not been related directly to ethnic or religious affiliation. Members of all major faiths are represented in the National Assembly.

Numerous foreign missionary groups operate in the country without restriction.

*Restrictions on Religious Freedom*

In August 2001, President Kumba Yala expelled from the country members of an Islamic religious association known as Ahmadis, whose members belong to a sect that originated in Pakistan and have major doctrinal divisions from the traditional tenets of Islam. They believe their founder, Ahmadi, to be a prophet, and they do not believe in the pilgrimage to Mecca as a pillar of Islam. The Ahmadis came to the country in 1995. The President alleged they were engaged in subversive activity and were undermining Islam and declared he would support "real religious associations but not sects." He asserted that his actions were in the interests of the Muslim community. The Supreme Court declared the expulsion unconstitutional; however, the Ahmadis was not permitted to return. The case still was pending at the end of the period covered by this report. The President subsequently dismissed five of the justices. There were no other reports of government harassment or expulsion of religious associations.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Society is tolerant on religious matters.

There have been no reports of significant ecumenical movements or activities to promote greater mutual understanding and tolerance.

## SECTION IV. U.S. GOVERNMENT POLICY

There has been no official U.S. presence in the country since June 1998;<sup>1</sup> (however, the U.S. Embassy based in Dakar, Senegal, discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**KENYA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, while groups generally were allowed to worship freely, the Government at times interfered with other activities by religious groups.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government at times restricted or disrupted public meetings that religious groups organized or participated in, primarily for political reasons. Muslim leaders charge that the Government is hostile towards Muslims.

There generally is a great level of tolerance among religious groups; however, there were a few instances of violence between Christian groups and between Christian and Muslim groups, and Muslims continued to perceive themselves to be treated as second-class citizens in a predominantly Christian country. There are some interfaith movements and political alliances.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 225,000 square miles, and its population is approximately 29 million, of which approximately 88 percent live in rural areas. According to rough estimates, Protestants are the largest religious group representing approximately 38 percent of the population. Approximately 28 percent of the population are Roman Catholic, while an estimated 10 to 20 percent are Muslim. Hinduism is practiced by 1 percent of the population, and the remainder follow various traditional indigenous religions or offshoots of Christian religions. There are very few atheists.

Members of most religious groups are active throughout the country. Certain religions dominate in particular regions of the country. For example, the Northeast Province is vastly Muslim; the Eastern Province is approximately 50 percent Muslim (mostly in the north) and 50 percent Christian (mostly in the south); and the Coast Province predominantly is Muslim, except for the western areas of the province, which predominantly are Christian. The rest of the country largely is Christian, with some persons practicing traditional indigenous religions.

Foreign missionary groups of nearly every faith operate in the country, and the Government generally has permitted their assistance to the poor and their founding of schools and hospitals. The missionaries openly promote their religious beliefs and have encountered little resistance.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

## Legal Policy/Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, while groups generally were allowed to worship freely, the Government at times interfered with other activities by religious groups.

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<sup>1</sup>(Note: The U.S. Embassy remains closed following suspension of operations on June 14, 1998, at the outset of civil conflict that ended in May 1999. The U.S. Embassy in Dakar is responsible for U.S. interests in Guinea-Bissau. Sources of information about the situation of religious believers and other circumstances inside Guinea-Bissau are very limited.

The Government requires new religious organizations to register with the Registrar of Societies, which reports to the Office of the Attorney General. The Government allows traditional indigenous religious organizations to register, although many choose not to do so. Once registered religious organizations enjoy tax-free status, and clergy are not subject to duty on purchased goods. Religious organizations generally receive equal treatment from the Government; however, some small splinter groups have found it difficult to register due to their inability to define their status as more than an offshoot of a larger religious organization. The Government has not granted registration to the Tent of the Living God, a small Kikuyu religious order banned during the single-party era (pre-1992). However, since the arrival of a multiparty system in 1992, membership in the Tent of the Living God has decreased greatly.

Political parties also must register with the Government. Despite 1997 reforms and the subsequent registration of a large number of political parties, the Government has refused to reverse its 1992 denial of registration of the Islamic Party of Kenya (IPK) on the grounds that the IPK, which in 1992 was involved in a number of violent confrontations with police, offended the "secular principle" of Kenya's constitution.

In the areas of the country that largely are Christian, there are morning prayers in public schools. All children participate in the assembly but are not punished if they remain silent during prayers. The Government and some churches frequently disagree over school management when both the Government and the church have a stake in the school. Often churches provide the land and the buildings for the schools, and the Government provides the teachers, which has led to disputes over school management, and sometimes led to the closing of schools.

The Ministry of Information, Transport, and Communication has approved radio and television broadcast licenses for several Muslim and Christian groups. At the end of 2000, the Catholic Church had been assigned regional broadcasting frequencies, but not national frequencies; its petition for national frequencies was not resolved by the end of the period covered by this report.

The Government celebrates several religious holidays as national holidays, including Christmas, Good Friday, Easter Monday, Idd-ul'Fit'r, Idd-ul'Azha, and Diwali.

#### *Restrictions on Religious Freedom*

In 2000 after the discovery of "cult" killings in Uganda, William Ruto, Assistant Minister in the Office of the President, warned that the Government would crack down on religious groups that endangered the safety of their adherents. In January 2002, Odeny Ngure, a Member of Parliament (M.P.), called on the Government and mainstream churches to cooperate in formulating policies to eliminate cults from the country; however, no action was taken during the period covered by this report.

In January 2002, district officials in Gilgil stopped a religious meeting at the Emmanuel Church of God during a 2-week crusade after community residents complained of continual wailing and screaming coming from the church. Residents charged that the group was a cult and that its members had sold their property to prepare for the return of Jesus Christ; the church denied the allegations.

The Government historically has been unsympathetic to tribal religious groups that have engendered protest movements. The Government frequently harassed and periodically arrested and detained members of the Mungiki, a small, controversial, cultural and political movement based in part on Kikuyu ethnic traditions, which espouses political views and cultural practices that are controversial in mainstream Kenyan society. While religion may have played a role in the formation of the group, observers believe that it is not a key characteristic of the group. The Mungiki do not adhere to any single religion and members are free to choose their own religion; the group includes Muslims and Christians. The number of Mungiki members is unknown, but the group draws a significant following from the unemployed and other marginalized segments of society.

Muslim leaders have charged that the Government is hostile toward Muslims. Muslims complain that non-Muslims receive better treatment when requesting citizenship documents. According to Muslim leaders, government authorities more rigorously scrutinize the identification cards of persons with Muslim surnames and require them to present additional documentation of their citizenship, such as birth certificates of parents and, sometimes, grandparents. The Government has singled out the overwhelmingly Muslim ethnic Somalis as the only group whose members are issued and required to carry an additional form of identification to prove that they are citizens. They must produce upon demand their Kenyan identification card and a second identification card verifying screening. Both cards also are required to apply for a passport. This heightened scrutiny appears to be due to an attempt to deter illegal immigration, rather than to discriminate against the religious affili-

ation of the ethnic Somalis. Muslim leaders claim that since the August 1998 bombing of the U.S. Embassy in Nairobi and the September 11, 2001, terrorist attacks in the United States, government discrimination against their community has worsened, especially demands for identity documents.

In the past, the misuse of authority by mainly Christian security forces in the northeast, which largely is Muslim and in which banditry is widespread, had contributed to Muslim mistrust. However, during the period covered by this report, there continued to be greater inclusion of Muslims in security forces and provincial administration.

In June 2002, in Busia, a district officer, who was a SeventhDay Adventist, was suspended for refusing to perform his official duties on Madaraka Day, which fell on a Saturday. During the same month, in Nandi, the Board of Governors suspended 10 high school students, who were SeventhDay Adventists, for refusing to take a test on a Saturday. Supporters of the students challenged the Board's decision, arguing that the school did not have the constitutional right to deny individuals the right to observe their religious practices. No further information was available at the end of the period covered by this report.

Practicing witchcraft reportedly is a criminal offense under colonial-era laws; however, persons generally are prosecuted for this offense only in conjunction with some other offense, such as murder. Witchcraft traditionally has been a common explanation for diseases for which the causes were unknown. The practice of witchcraft is understood widely to encompass attempts to harm others not only by magic, but also by covert means of established efficacy such as poisons. Although many traditional indigenous religions include or accommodate belief in the efficacy of witchcraft, they generally approve of harmful witchcraft only for defensive or retaliatory purposes and purport to offer protection against it.

In January 2002, in Nyamira, police arrested two persons for possession of witchcraft supplies, including snake skin, tortoise shell, and powders, and for practicing witchcraft. According to the police, a pastor from Butere Mumias Deliverance Church claimed that the two persons had caused the mysterious illness of a man.

On January 25, 2002, President Daniel arap Moi directed district education boards to return to the African Independent Pentecostal Church of Africa (AIPCA) those schools that AIPCA had operated prior to the country's independence; however, the President ordered that AIPCA schools already sponsored by other churches should be allowed to remain under such sponsorship. The British colonial government seized the AIPCA schools because of AIPCA's support of the Mau Mau movement. AIPCA began to repossess its schools by the end of the period covered by this report.

In May 2001, Muslims protested the reported allocation of a public plot of land to a private developer in Mombasa. The grounds traditionally have been used for celebrating Islamic events. Following the protests, the Government apparently ceased developing plans to allocate the land, and the land remained public as of the end of the period covered by this report.

The Minister of Trade and Industry Nicholas Biwott also has been engaged in a public dispute with the Catholic Church over an intended project to use public land to create an educational facility to be named after the Minister's mother. Father Michael Rop, who is in charge of the local parish where the facility is proposed, protested the appropriation of public land to honor the Minister's mother. The Bishop of Eldoret, Cornelius Korir, accused the Minister of harassing Father Rop and his supporters, and claimed that the Minister was persecuting the church and its followers. The dispute was ongoing at the end of the period covered by this report.

In 1999 President Moi was quoted as saying that, for political reasons, he would not allow the exiled Tibetan leader, the Dalai Lama, to enter the country.

#### *Abuses of Religious Freedom*

The case of two police officers, Julius Mugambi M'Nabere and Stephan Musau Kilonzo, charged with the August 1999 murder of five Muslim worshippers in the Anas Bin Malik mosque in Chai village near Mombasa remained pending before the court at the end of the period covered by this report.

On March 28, 2002, government authorities charged Wanjiru Nduhiu, the leader of an unregistered Kikuyu group, with urging her followers to renounce Christianity and to revert to traditional beliefs and practices, such as female genital mutilation. Nduhiu denied the charges and remained in custody at the end of the period covered by this report; her court case is scheduled for April 2003.

Although the Constitution provides for freedom of assembly, at times the Government used sections of the Public Order Act and the Penal Code to restrict or disrupt public meetings that religious groups organized or participated in, primarily for political reasons. On April 30, 2002, police arrested 39 members of the Tent of the Liv-

ing God for holding an illegal meeting after the group led a demonstration through the center of Nairobi. On May 7, all 39 were released on condition that they hold no illegal meetings or processions in the future.

In April 2000, police in Laikipia broke up a gathering in a Catholic church hall on the grounds that the participants were former freedom fighters holding a secret meeting. The police arrested four men and charged them with holding an illegal meeting; the case was pending at the end of the period covered by this report.

There were no other reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

There generally is a great level of tolerance among religious groups; however, there were a few instances of violence between Christian groups and between Christian and Muslim groups, and Muslims perceive themselves to be treated as secondclass citizens in a predominantly Christian country. Inter-marriage between members of Christian denominations is common, and interfaith prayer services occur frequently. Inter-marriage between Muslims and Christians, although less frequent, also is acceptable socially, and mosques and Christian churches are found on the same city blocks.

For years Muslims and Christians have held an open debate over their respective places in society. Each group claims to have a larger number of adherents than is plausible, and some Muslim groups believe that the Government and business communities deliberately have impeded development in predominantly Muslim areas. Some Muslim leaders claim that discrimination against Muslims has resulted in a greater incidence of poverty among Muslims than among other religious groups; however, there is no statistical evidence to support this claim. At times the debate has undermined mutual trust.

In September 2001, Muslim youths were suspected of responsibility for burning down two wooden churches in Isolo. Muslim leaders criticized the attacks and met in an attempt to diffuse tensions and allay concerns of Christians in the area. Police officers did not believe the fire to be religiously motivated.

In December 2001, Muslim demonstrators destroyed a Catholic church in Manda Bay after authorities arrested Sheikh Ahmed Hassan Mursal, a Muslim cleric. Mursal, who erroneously was identified as a participant in the 1998 bombings of the U.S. Embassies in Nairobi and Dar es Salaam, Tanzania, subsequently was released.

There were several disputes over land ownership during the period covered by this report; some resulted in violence. In January 2002, approximately 500 squatters in Nyeri district forcibly dispersed members of the Othaya Presbyterian Church of East Africa (PCEA) from the church compound in which the worshippers had assembled for open-air services; several persons, including a priest, were injured. Both the worshippers and the squatters claimed ownership of the church property, which is located on government land. An investigation into the incident was ongoing at the end of the period covered by this report. Also in January 2002, in Marakwet district, several persons, including a Pentecostal Assemblies of God (PAG) minister, were injured during a land dispute between members of a Catholic church and the PAG. The dispute reportedly began when Catholic worshippers accused PAG members of making too much noise while praying in a building adjacent to the Catholic church.

On January 27, 2002, Egerton University officials barred approximately 300 worshippers from the African Inland Church (AIC) from conducting services in the Lord Egerton Castle, which has been the subject of a longstanding property dispute between the University and the AIC. According to the AIC, President Moi allocated the castle and the 50 adjacent acres to the Church in 1995; according to records at the Ministry of Lands, the property belongs to the chaplain of the University and two other individuals. President Moi issued a statement indicating that the castle and surrounding property belonged to the University; however, AIC leaders urged their followers to ignore the statement. The dispute was ongoing at the end of the period covered by this report.

In March 2002, progovernment youths forcibly dispersed persons worshipping at a church in Nairobi, scattered church property out of the building, and locked worshippers outside the church. The youths charged that the church was located on land belonging to the Kenya African National Union (KANU), the ruling party, and

that the police had failed to assist them in reclaiming the land. No action was taken against the youths by the end of the period covered by this report.

A number of incidents took place in November and December 2000, when a land dispute led to violence between Muslims and Christians in a densely populated neighborhood in Nairobi. At least one person was killed and numerous persons were injured in the riots, including Anglican Archbishop David Gitari. Two days of violent clashes resulted in the burning of several buildings, including a mosque and two churches. After the riots ended, Cabinet Minister Sharrif Nassir admitted that he had encouraged Muslim youths to retaliate when attacked. Muslim leaders apologized for the violence and clarified that the dispute originated over land and was not religiously motivated. Following the riots, religious leaders on both sides cited police inaction as a reason for the spread of the violence. No action was taken against those responsible by the end of the period covered by this report.

There have been reports of intolerance among refugee groups in Kenya. Somali refugees reportedly have attacked relatives who marry refugees belonging to faiths other than Islam. Somali refugees at the Dadaab camps also reportedly have attacked verbally and physically Sudanese refugee women who wear Westernized clothing considered "too revealing" under Somali standards.

Unlike in previous years, there were no reports of ritual murders associated with aspects of traditional indigenous religious rites during the period covered by this report.

Occasionally mobs killed members of their communities on suspicion that they practiced witchcraft or were devil worshippers. In February 2002, M.P. George Anyona charged that some of the killings were politically motivated, and that some politicians had attempted to eliminate political rivals by calling them witches and hiring persons to kill them.

On August 5, 2001, in Nyamira, Jethiter Mboga was killed by three of his brothers for "bewitching" their mother; his brothers subsequently went into hiding. On January 3, 2002, police in Kitui Central district dispersed with tear gas a mob that had threatened to lynch a man they accused of "keeping ghosts" and to burn his shop. Parents in the community subsequently refused to send their children to school until local officials compelled the man to exorcise his evil spirits. Some members of the mob were arrested and fined for fighting with the police; others were detained for 1 month. In February 2002, community members in Kitutu Masaba doused a man and a woman with gasoline and then set the couple on fire. In April 2002, in Gucha, villagers killed a person they suspected of bewitching a neighbor and then burned his houses.

There were several reports of the public beating "suspicious-looking" persons who were accompanied by small children. On October 3, 2000, a mob of residents of Nairobi's Kariobangi North neighborhood lynched three suspected child abductors (believed to be devil worshippers), including a grandfather who was walking with his grandchild. In late October 2000, in Kisii, police intervened to block villagers from killing seven suspected witches. Also in October 2000, the press reported that villagers burned alive a suspected sorcerer in Kimburini. In another incident, a mob attacked a group of American missionaries in Kisumu, whom it suspected to be on a mission to abduct children.

There were no developments in the March 2001 case in which Hannah Mungai, a member of the Akorino religious group (a group that mixes traditions based on the Old Testament with indigenous beliefs) left her three children with an evangelist member of the religious group while she toured western areas of the country on a preaching mission. When she returned, the pastor of the religious group returned two of the children; however, he invoked the name of the Holy Spirit and refused to return the youngest child stating that the 2-year-old girl would remain with him to serve at the altar of the church. Mungai did not report the kidnapping to the police because the religious group does not allow challenges to "men of God" once they invoke the name of the Holy Spirit; however, she later publicized the story after pressure from her husband. Mungai claims that her daughter was given to other religious group members, and she does not know where her daughter is being kept. The matter had not been brought formally to police attention by the end of the period covered by this report.

No action was taken against the pro-government youths who forcibly disrupted a meeting of the Ufungamano Initiative in Kisumu in November 2000. The youths threw homemade bombs, burned a vehicle, and beat several persons severely.

No new information was available on the August 2000 case in which Father John Anthony Kaiser, a Catholic priest working in the country for more than 30 years, was found dead near Naivasha town. Father Kaiser was a vocal human rights activist and a critic of key members of the Government. Although there was much public speculation to the contrary, a U.S. Federal Bureau of Investigations (FBI) report,

released in April 2001, concluded that the evidence collected was most consistent with suicide, and that it was unlikely that Father Kaiser had been murdered. The Catholic Church has rejected the FBI report and has called for further independent investigation. The Attorney General, who had not responded to the Catholic Church by the end of the period covered by this report, stated that he would reopen the case if new evidence were presented.

There have been societal efforts to bridge religious divides. The Inter-Faith Peace Movement represents a broad religious spectrum, and its members include the Anglican Church of Kenya, the Supreme Council of Kenyan Muslims, the Muslim Consultative Council (MCC), the Methodist Church, the Catholic Church, the National Council of Churches of Kenya (NCCCK), the Inland African Church, the PCEA, and the Hindu Council. The NCCCK generally is involved in a variety of civil society initiatives, including conflict resolution. During the period covered by this report, the Catholic Justice and Peace Commission, the MCC, and the NCCCK launched a pilot program to promote interfaith dialog and reduce ethnic conflict in Isiolo district.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy made a concerted effort to bridge the gaps that exist between Muslims and Christians. Embassy officials maintain regular contact with leaders and members of all religious communities. The Ambassador and other Embassy officers met with Catholic, Protestant, and Muslim leaders while traveling. The Ambassador regularly hosts meetings with religious leaders to discuss issues affecting their communities. In April 2002, in Mombasa, the Ambassador and senior Embassy officers met with civil society, religious, and government leaders of the predominantly Muslim coastal areas to promote a better understanding of U.S. policy and activities and to discuss issues of concern to the community. While in Mombasa, the Ambassador also met with Christian leaders to listen to their concerns and to explain U.S. policies and programs.

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## LESOTHO

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 11,720 square miles, and its population is 2,143,141. Christianity, specifically Roman Catholicism, is the dominant religion. Approximately 90 percent of the population are Christian, and 70 percent of Christians are Catholic. Muslims, members of other nonChristian religions, and atheists constitute the remaining 10 percent. Christians are scattered throughout the country, while Muslims live mainly in the northeastern part of the country. Most practitioners of Islam are of Asian origin, while the majority of Christians are the indigenous Basotho.

Many devout Christians still practice their traditional cultural beliefs and rituals along with Christianity. The Catholic Church has fused some aspects of local culture into its services. For example, the singing of hymns during services has developed into a local and traditional way of singing (a repetitive call and response style) in Sesotho the indigenous language—as well as English. In addition priests are seen dressed in local dress during services.

There are three main missionary groups, all of which are Christian, active in the country: Catholics, Protestants, and Anglicans.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

There is no state religion and no evidence that the Government favors any particular religion.

The Government does not establish requirements for religious recognition. Generally the Government does not provide benefits to any religious groups. Any religious group may apply for a waiver of taxes on charitable donations from outside the country; however, in practice few, if any, waivers are given.

The strong Catholic presence in the country led to the successful establishment of Catholic schools in the last century and their influence over education policy. However, the influence of the Catholic Church has decreased in recent years, and the Catholic Church now owns less than 40 percent of all primary and secondary schools in the country.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

There generally was mutual understanding and cooperation between Christians and Muslims. There were efforts within the ecumenical community to promote tolerance and cooperation on social issues. Although there were some tensions between Christians and Muslims in previous years, there were no reports of such tensions during the period covered by this report.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**LIBERIA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some exceptions.

There was no change in the status of respect for religious freedom during the period covered by this report. Islamic leaders continued to complain of government discrimination against Muslims.

Societal discrimination against Muslims continued to be a problem. Ethnic tensions along religious lines between Muslim and non-Muslim groups also continued to be a problem, particularly between the Lormas and the Mandingos.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 43,000 square miles, and its population is 3,164,156. As much as 40 percent of the population practice either Christianity or elements of both Christianity and traditional indigenous religions. Approximately 40 percent practice traditional indigenous religions exclusively. Approximately 20 percent of the population practice Islam, although Islam continued to gain adherents. The Lutheran, Baptist, Episcopalian, Presbyterian, Roman Catholic, United Methodist, African Methodist Episcopal (AME), and AME Zion denominations, as well as several Pentecostal churches are represented in the Christian community. Some of the Pentecostal movements are independent, while others are affiliated with churches outside the country. There also is a small Baha'i community.

Christianity, traditional indigenous religions, and syncretistic religions combining elements of both Christianity and traditional indigenous religions are found throughout the country. Islam is prevalent only among members of the Mandingo ethnic group, who are concentrated in the northern and eastern counties, and among the Vai ethnic group in the northwest.

Foreign missionary groups in the country include Baptists, Catholics, and members of Jehovah's Witnesses.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some exceptions. There is no established state religion. However, government ceremonies invariably open and close with prayer and may include the singing of hymns. The prayers and hymns usually are Christian but occasionally are Muslim.

All organizations, including religious groups, must register their articles of incorporation with the Government, along with a statement of the purpose of the organization; however, traditional indigenous religious groups are not required to register, and generally do not register. Registration is routine, and there have been no reports that the registration process is burdensome or discriminatory in its administration.

In March 2002, President Taylor sponsored the travel of more than 100 pilgrims to Mecca. Some non-Muslims criticized this action as a waste of scarce resources (see Section III).

### *Restrictions on Religious Freedom*

Although the law prohibits religious discrimination, Islamic leaders complained of government discrimination against Muslims. Although there are some Muslims in senior government positions, many Muslims believe that they are bypassed for desirable jobs. Many Muslim business proprietors believe that the Government's decision to enforce an old statute prohibiting business on Sunday discriminates against them. Most Mandingos, and hence most Muslims, were allied with factions that opposed Taylor during the civil war and still belong to opposition parties.

In March 2001, the Government moved to shut down the short-wave broadcasts of Radio Veritas, citing "illegal operation." Radio Veritas is operated by the Catholic archdiocese, and the Government briefly had suspended its operations in March 2000. The Ministry of Posts and Telecommunications claimed that Radio Veritas applied for and was refused a short-wave license, while the management of Radio Veritas claimed to have documents from the Ministry that granted the station a short-wave license. In February 2002, the Government restored Radio Veritas' short-wave license, and in April 2002, Radio Veritas resumed short-wave broadcasts.

### *Abuses of Religious Freedom*

Government forces were accused of serious human rights abuses against suspected rebels and sympathizers during fighting in Lofa County during the period covered by this report. The Government contends that the insurgents largely are Mandingo Muslims of the ULIMO-K faction that fought against President Taylor's forces during the civil war. The Government has not taken actions openly against Muslims in Lofa County; however, its inaction over reports of abuses in Lofa County contributed to ethnic tension between Muslim and non-Muslim ethnic groups in that area of the country.

In 2000 Lartin Konneh, a Muslim activist, was arrested on charges of treason after he called on Muslims to resign their government jobs in protest of the Government's inaction since the burning of five mosques in Lofa County that year. Konneh went into hiding and later fled the country. In August 2001, the charges against him were dropped as part of a general amnesty President Taylor announced for exiles; however, Konneh remained outside the country at the end of the period covered by this report.

By the end of the period covered by this report, the Government had not released a report following its November 1999 investigation of the reported killing of as many as 30 Mandingos in Lofa County in August 1999. Although the authorities subsequently arrested 19 persons, they did not charge anyone with a crime. Mandingo residents of Lofa County continued to be afraid to return to their homes.

During the period covered by this report, members of the Catholic Church's Peace and Justice Commission in Liberia continued to experience threats and burglaries. There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Some tensions exist between the major religious communities. The law prohibits religious discrimination; however, Islamic leaders complained of societal discrimination against Muslims. The private sector in urban areas, particularly in the capital, gives preference to Christianity in civic ceremonies and observances, and discrimination against followers of other organized religions reaches into areas of individual opportunity and employment.

In 2000 in Nimba County, a property dispute between Mandingos and members of the Mano and Gio ethnic groups led to rioting that reportedly killed four persons. A mosque and five other buildings were burned. Police arrested 12 persons in connection with this violence and charged them with arson; however, no further action was taken against them, and they were released in 2001.

Ethnic tensions continued in Lofa County between the predominantly Muslim Mandingo ethnic group and the Lorma ethnic group. By the end of the period covered by this report, the Government had not yet released a report on the burning of five mosques in Lofa County in January 2000.

Ritual killings, in which body parts used in traditional indigenous rituals are removed from the victim, continued to occur. The number of such killings was difficult to ascertain, since police often described deaths as accidents even when body parts were removed. Deaths that appear to be natural or accidental sometimes are rumored to be the work of ritual killers. Little reliable information is available readily about traditions associated with ritual killings. It is believed that practitioners of traditional indigenous religions among the Grebo and Krahn ethnic groups concentrated in the southeastern counties most commonly engage in ritual killings. The victims usually are members of the religious group performing the ritual. Body parts of a member whom the group believes to be powerful are believed to be the most effective ritually. Body parts most frequently removed include the heart, liver, and genitals. The rituals involved have been reported in some cases to entail eating body parts, and the underlying religious beliefs may be related to incidents during the civil war in which faction leaders sometimes ate (and in which one faction leader had himself filmed eating) body parts of former leaders of rival factions. Removal of body parts for use in traditional rituals is believed to be the motive for ritual killings, rather than an abuse incidental to killings committed for other motives. Ritual murders for the purpose of obtaining body parts traditionally were committed by religious group members called "heart men;" however, since the civil war, common criminals inured to killing also may sell body parts. In 1999 the Government sent a high-level delegation of the National Police to the southeastern counties to investigate reports of ritual killings; there were no reports released from this investigation. In August 2001, the Government sent units of the Anti-Terrorist Unit to Maryland County to stem a wave of ritualistic killings, and the reported incidence of ritualistic killings had decreased by the end of the period covered by this report. There is an interfaith council that brings together leaders of the Christian and Islamic faiths. The Council also has tried to facilitate dialog between the Government and the Liberians United for Reconciliation and Democracy (LURD) rebels.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights, monitors developments affecting religious freedom, and maintains contact with clergy and other leaders of major religious communities. Embassy officers met on various occasions with the Roman Catholic Archbishop, the United Methodist Bishop, the AME Bishop, the AME Zion Bishop, the Interfaith Council, the National Repentant Muslims, and other religious leaders during the period covered by this report.

**MADAGASCAR**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 226,657 square miles, and its population is 15,982,563. Most of the population is nominally Christian, of which an estimated 4.5 million are Roman Catholics, 3.5 million are Protestants belonging to the Church of Jesus Christ in Madagascar (FJKM) (mostly from Fianarantsoa North), 2 million are Lutherans (mostly from Fianarantsoa South), and less than 1 million are Anglicans (mostly in Antananarivo and Toamasina). Most other citizens are followers of traditional indigenous religions centered on ancestor worship. Although there are no exact figures, Muslims constitute slightly less than an estimated 10 percent of the population (concentrated in the north and northwest); they include ethnic Malagasy as well as most of the ethnic Indians who immigrated within the past 100 years. There are a few Hindus among the Indians.

Foreign missionary groups are active in the country, including Catholics, Protestants of various denominations, the Seventh-Day Adventists, Jehovah's Witnesses, and the Church of Jesus Christ of Latter Day Saints.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion.

Religious groups must register and obtain authorization from the Ministry of Interior.

Mainline denominations are organized in the Council of Christian Churches of Madagascar. This group regularly expresses political and economic concerns as well as religious concerns. Severely destabilized by its involvement as a mediator in the political conflict that brought about the Third Republic Council in 1993, the Council withdrew from the political scene for several years. In 2000 the Council, as part of its commitment to justice, engaged its member churches in the monitoring of elections. The Council increased its political involvement in 2001, playing an active role in the observation of the disputed presidential elections. In early 2002, the Council continued to wield significant political pressure, particularly on President Didier Ratsiraka to submit to a recount of the December 2001 election results.

Foreign missionary groups operate freely in the country. Several church-related organizations, some with international affiliations, operate freely in health and social services, development projects, schools, and higher education.

##### *Restrictions on Religious Freedom*

There were several credible reports that the Government threatened and mistreated church pastors, namely FJKM pastors and particularly those in the northern province of Antsiranana, during the period covered by this report. In each case, the pastor targeted for abuse was active and visible in the Committee to Elect Marc Ravalomanana (KMMR); the mistreatment was politically motivated and did not constitute religious discrimination. In December 2001, presidential elections were held; both candidates, Ratsiraka and Ravalomanana, claimed victory. During the following 7 months, there was a substantial increase in human rights abuses, repeated attempts at international mediation, barricades of the capital, attempted secession of several provinces, and a military campaign to control the island, as supporters of both candidates attempted to take control of the country. In May 2002, following a recount of the ballots, Ravalomanana was declared president; he was sworn in later that month.

In isolated cases, in response to rising insecurity linked to the ongoing political crisis in early 2002, local authorities banned religious gatherings and public observances such as the procession of palms. Such restrictions did not appear to target specific congregations, nor were they based on religious grounds.

Numerous independent evangelical groups operate freely in all regions of the country, some using their own local media facilities, and the Council of Christian Churches is permitted regular weekly broadcasts on the government-controlled Radio

Madagascar. However, since January 2001, the local branch of the Kimbanguist church, whose membership is less than 5,000, has been prevented from broadcasting its religious service on Radio Madagascar. This restriction appears to be politically motivated, and apparently is based on the pastor's support for the leader of an opposition party and the political, rather than religious, content of his broadcasts.

In 1998 an organization widely perceived to be affiliated with the Reverend Sun Myung Moon was refused registration, apparently due to concerns about its use of mind-control practices. There is no indication that the organization has reapplied for registration, nor that the Government has changed its decision.

#### *Abuses of Religious Freedom*

In 2001 a Protestant missionary whose family name is Moon was subjected to government harassment due to confusion surrounding his possible connection to the Moon organization and the Unification Church; however, there were no further incidents during the period covered by this report.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. There is some ethnic Malagasy resentment of the ethnic Indian community, but this primarily is due to perceptions that the relative prosperity of the ethnic Indian community is due to the corruption of government officials and the economic exploitation of ethnic Malagasy customers.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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## MALAWI

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom; however, there was some tension between the Muslim Association of Malawi and a Christian missionary group during the period covered by this report.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 45,745 square miles, and its population is estimated at 10,386,000. More than 70 percent of the population is Christian. Among the Christian denominations, the largest are the Roman Catholic and Presbyterian (Church of Central Africa Presbyterian—CCAP) Churches, with smaller numbers of Anglicans, Baptists, evangelicals, and Seventh-Day Adventists. There is a substantial Muslim minority totaling approximately 20 percent of the population. The vast majority of Muslims are Sunni Muslim, ascribing to either the Qadriya or Sikkutu groups. There also are Hindus, Baha'is, and followers of traditional indigenous religions. There are few atheists.

Foreign missionary groups are present in the country, including Protestant Christian, Catholic, Pentecostals, and Jehovah's Witnesses.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this

right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion.

There are no separate requirements for the recognition of religions, but religious groups must register with the Government. There were no reports that the Government refused to register any religious groups.

Foreign missionaries experienced occasional delays in renewing employment permits, despite the Government's revision of its policy and procedures on temporary employment permits in 1997; however, this appeared to be the result of bureaucratic inefficiency rather than a deliberate government policy against foreign missionaries. Missionaries and charitable workers pay lower fees for employment permits than do other professionals.

In May 2001, the Government released a formal response to a series of pastoral letters from the CCAP churches affirming the churches' right to comment on issues of public concern and invited religious leaders to Lilongwe, the capital, to discuss national issues (see Section III). The Government has continued to respect the rights of CCAP, and there has been no further action since the Government's response. While the pastoral letters created some political tension, there continued to be acceptance of the historical role played by religious organizations in social and political life. In March 2002, six bishops from the Catholic Church released a pastoral letter against a constitutional amendment to eliminate presidential term limits. The Government took no action against the Catholic Church after the release of the letter.

#### *Restrictions on Religious Freedom*

In June 2002, a Catholic priest was arrested in Kasungu for possession of seditious material. The priest had documents opposing the constitutional amendment to eliminate presidential term limits that he was translating into the local language. On June 17, he was released on bail, and no court proceedings or further actions were initiated during the period covered by this report.

In January 2002, the Office of the Ombudsman directed the Ministry of Agriculture to pay benefits and salary arrears to a self-exiled member of the Jehovah's Witnesses who fled the country in 1977 for fear of religious persecution under the former regime of President Hastings Banda. The Ombudsman cited a July 1999 notice issued by the Office of the President and Cabinet that directs the Government to reimburse all persons who were dismissed from office on political grounds during the Banda era.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom; however, there was some tension between the Muslim Association of Malawi (MAM) and a Christian missionary group during the period covered by this report. There is no societal discrimination against members of religious minorities.

Some opposition politicians and clerics have raised Islam as a political issue. Citing the President's adherence to Islam, his contact with Islamic countries such as Libya and Sudan, and the building of new mosques, some opposition politicians and clerics have accused the ruling party of attempting to "Islamicize" the country. An attempt by the Government in early 2000 to replace "Bible Knowledge" in the school curriculum with the more universal "Moral and Religious Education" course met with widespread criticism from Christian leaders. In February 2000, when the President suspended the introduction of the new curriculum and returned "Bible Knowledge" to the curriculum, Muslim leaders rebuked him. Consultations between government and religious leaders resulted in a compromise, and both courses were offered as optional subjects during the period covered by this report.

In February 2002, MAM filed a complaint letter with the Religious Affairs Coordinator for the Office of the President and Cabinet regarding the activities of a Christian missionary group in Mangochi District. MAM accused the missionary group of entering the mosques to convert Muslims to Christianity and disseminating inflammatory publications about Islam. The Religious Affairs Coordinator attempted to convene a forum on February 22, 2002, with MAM, the Malawi Council of Churches, and the leaders of the missionary group to discuss a peaceful resolution to the problem; however, the meeting was canceled due to a lack of funding. In April 2002, the same missionary group contacted the Religious Affairs Coordinator, the Deputy In-

spector General of Police, and the local Mangochi District Police to report that they had heard rumors that the Muslim community in Mangochi District planned to harm them; however, there were no reports that any violence occurred.

Unlike in the period covered by the previous report, there were no reports of clashes between Muslims and Christians.

In March 2002, six Catholic bishops released a pastoral letter protesting a constitutional amendment that would eliminate presidential term limits. The letter was read in Catholic churches nationwide on Easter Sunday. Although the letter ignited a heated political debate in the press, there was no reaction from the Government.

In March and April 2001, the CCAP churches released pastoral letters addressing social and political topics of current national interest. The Presbyterian letter in particular was direct and critical of the Government. While some progovernment newspapers attacked individual members of the clergy, the President publicly affirmed the churches' right to comment on issues of public concern (see Section II). In July 2001 at an Independence Day celebration, newspapers reported the Young Democrats, a group allegedly linked to the ruling United Democratic Front party, beat a Catholic priest as a result of the CCAP pastoral letter. The group had intended to target the CCAP pastor; however, because of a case of mistaken identity, the priest was beaten. No action was taken against those responsible for the beating during the period covered by this report.

There have been active efforts to foster cooperation between religious groups. For example, the Public Affairs Committee, which is involved prominently in promoting civic education and human rights, includes representatives of various churches and mosques. On June 9, 2002, the Malawi Council of Churches and other religious and civil society groups sponsored a National Day of Prayer in Blantyre to pray for solutions to problems that face the country, such as the constitutional amendment to eliminate term limits, HIV/AIDS, and poverty. The Government granted a permit to the organizers to hold the 2-hour long prayer session despite a ban on all demonstrations either for or against the constitutional amendment to eliminate term limits.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Representatives of the Embassy have frequent contact with leaders and members of all religious communities in the country.

Following alleged threats against a Christian missionary group (see Section III), Embassy officials worked to ensure the safety of American citizen members of the group.

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## MALI

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 471,045 square miles, and its population is 10,951,176. Muslims make up approximately 90 percent of the population, and the vast majority of Muslims are Sunni. Approximately 5 percent of the population is Christian, and the Christian community is split almost evenly between Catholic and Protestant denominations. Most of the remainder of the population practices traditional indigenous religions or no religion. Atheism and agnosticism are rare. Most immigrants are from neighboring countries and either practice the majority Muslim faith or belong to a Christian group. The vast majority of citizens practice their religion daily.

There are no geographic concentrations or segregation of religious groups. Christian communities, which tend to be located in and around urban areas, are found throughout the country, but more often in the southern regions. Groups that prac-

tice traditional indigenous religions are located throughout the country but are most active in rural areas.

Foreign Islamic preachers operate in the Kidal region of the country, but have attained only a limited following because their fundamentalist views clash with the country's traditional approach to Islam.

Foreign missionary groups operate in the country; most known foreign missionary groups are Christian groups that are based in Europe and engaged in development work, primarily the provision of health care and education. A number of U.S.-based Christian missionary groups also operate in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels generally protects this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion; the Constitution defines the country as a secular state and allows for religious practices that do not pose a threat to social stability and peace.

The Government requires that all public associations, including religious associations, register with the Government. However, registration confers no tax preference and no other legal benefits, and failure to register is not penalized in practice. The registration process is routine and is not burdensome. Traditional indigenous religions are not required to register.

Foreign missionary groups operate in the country without government interference. They do not link the benefits of their development activities to conversion. Muslims and non-Muslims may proselytize freely.

Family law, including laws pertaining to divorce, marriage, and inheritance, are based on a mixture of local tradition and Islamic law and practice.

### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

The Minister of Territorial Administration and Local Collectivities may prohibit religious publications that he concludes defame another religion; however, there were no reports of instances in which publications were prohibited during the period covered by this report.

There were no reports of religious prisoners or detainees.

### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations between the Muslim majority and the Christian and other religious minorities—including practitioners of traditional indigenous religions—generally are amicable. Adherents of a variety of faiths may be found within the same family. Many followers of one religion attend religious ceremonies of other religions, especially weddings, baptisms, and funerals.

Non-Muslim missionary communities live and work in the country without difficulty. Christian missionaries, especially the rural-based development workers, enjoy good relations within their communities.

Islam as practiced in the country is tolerant and adapted to local conditions. Women participate in economic and political activity, engage in social interaction, and generally do not wear veils.

During presidential elections held in April and May 2002, the Government and political parties emphasized the secularity of the state. A few days prior to the elections, a radical Islamic leader called on Muslims to vote for former Prime Minister Keita. The High Council of Islam, the most senior Islamic body in the country, severely criticized the statement and reminded all citizens to vote for the candidate of their choice.

In January 2002, the High Council was created to coordinate religious affairs for the entire Muslim community and standardize the quality of preaching in mosques. All Muslim groups recognize its authority.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy officers meet regularly with religious authorities and government officials in ministries dealing with these issues.

During the period covered by this report, Embassy officials deepened dialog with Muslim groups to promote mutual understanding, to ascertain the role of religion in the 2002 presidential elections, and to encourage continued secularity of the state.

The U.S. Embassy maintains contacts with the foreign missionary community, and monitors the situation for indications that religious freedom may be threatened by the Government or societal pressures. Embassy officers have raised the issue of religious freedom through public diplomacy programs.

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**MAURITANIA**

The Constitution establishes the country as an Islamic republic and decrees that Islam is the religion of its citizens and the State; the Government limits freedom of religion.

There was no change in the status of respect for religious freedom during the period covered by this report. While the Constitution decrees that Islam is the religion of its citizens and the State, non-Muslim resident expatriates and a few non-Muslim citizens practice their religion openly and freely. However, proselytizing and distribution of religious materials are prohibited.

Relations between the Muslim community and the small non-Muslim community generally are amicable.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 397,840 square miles, and its population is approximately 2.5 million. Virtually 100 percent of the population are practicing Sunni Muslims. There is a small number of non-Muslims, and nondenominational Christian or Roman Catholic churches have been established in Nouakchott, Atar, Zouerate, Nouadhibou, and Rosso.

There are several foreign faith-based nongovernmental organizations (NGO's) active in humanitarian and developmental work in the country. Although there are no synagogues, a very limited number of expatriates practice Judaism.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution establishes the country as an Islamic republic and decrees that Islam is the religion of its citizens and the State; accordingly, the Government limits freedom of religion. However, non-Muslim resident expatriates and the few non-Muslim citizens practice their religion openly and freely.

Both the Government and society generally consider Islam to be the essential cohesive element unifying the country's various ethnic groups and castes. There is a cabinet-level Ministry of Culture and Islamic Orientation and a High Council of Islam, consisting of six imams, which, at the Government's request, advises on the conformance of legislation to Islamic precepts.

Although the Government provides a small stipend to the imam of the Central Mosque in the capital city of Nouakchott, mosques and Koranic schools normally are supported by their members and other donors.

The Government does not register religious groups; however, secular NGO's must register with the Ministry of the Interior; this includes humanitarian and development NGO's affiliated with religious groups. Nonprofit organizations, including both religious groups and secular NGO's, generally are not subject to taxation.

The judiciary consists of a single system of courts with a modernized legal system that conforms with the principles of Shari'a (Islamic law).

The Government observes Muslim holidays as national holidays, but this practice does not impact negatively other religious groups. A magistrate of Shari'a, who heads a separate government commission, decides the dates for observing religious holidays and addresses the nation on these holidays.

*Restrictions on Religious Freedom*

Shari'a, proclaimed the law of the land under a previous government in 1983, includes the Koranic prohibition against apostasy or conversion to a religion other than Islam; however, it never has been codified in civil law or enforced. The small number of known converts from Islam have suffered no social ostracism, and there have been no reports of societal or governmental attempts to punish them.

Although there is no specific legal prohibition against proselytizing by non-Muslims, in practice the Government prohibits proselytizing by non-Muslims through the use of Article 11 of the Press Act, which bans the publication of any material that is against Islam or contradicts or otherwise threatens Islam; however, there were no reports of the Government punishing persons for violating Article 11 during the period covered by this report. The Government views any attempts by practitioners of other religions to convert Muslims as undermining society. Foreign faith-based NGO's limit their activities to humanitarian and development assistance.

Under Article 11 of the Press Law, the Government may restrict the importation, printing, or public distribution of Bibles or other non-Islamic religious literature, and in practice Bibles are neither printed nor publicly sold in the country. However, the possession of Bibles and other non-Islamic religious materials in private homes is not illegal, and Bibles and other religious publications are available among the small non-Islamic community.

There is no religious oath required of government employees or members of the ruling political party, except for the President and the members of the 5-person Constitutional Council and the 10-person High Council of Magistrates presided over by the President. The Constitutional Council and the High Council of Magistrates advise the President in matters of law and the Constitution. The oath of office includes a promise to God to uphold the law of the land in conformity with Islamic precepts.

Both privately run Koranic schools, which nearly all children attend, and public schools include classes on religion. These classes teach the history and principles of Islam and the classical Arabic of the Koran. Although attendance of these religion classes ostensibly is required, many students, the great majority of whom are Muslims, decline to attend these classes for diverse ethno-linguistic and religious reasons. Nevertheless these students are able to advance in school and graduate with diplomas, provided that they compensate for their failure to attend the required religion classes by their performance in other classes.

Shari'a Islamic law provides the legal principles upon which the law and legal procedure are based, and because of the manner in which Shari'a is implemented in the country, courts do not in all cases treat women as the equals of men. For example, the testimony of two women is necessary to equal that of one man. In addition, in awarding an indemnity to the family of a woman who has been killed, the courts grant only half the amount that they would award for a man's death. For commercial and other modern issues not addressed specifically by Shari'a, the law and courts treat women and men equally.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations between the Muslim community and the small non-Muslim community generally are amicable.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government monitors developments affecting religious freedom, maintains contact with clergy and other leaders of major religious groups, and discusses religious freedom issues with the Government, including the Minister of Culture and Islamic Orientation, in the context of its overall dialog and policy of promoting human rights.

On October 18, 2001, and June 23, 2002, the Ambassador discussed religious diversity and freedom of religious practices with the Minister of Culture and Islamic Orientation. Using a grant from the U.S. Agency for International Development (USAID), a local NGO held training sessions and released a booklet in June for imams in the national campaign against HIV/AIDS.

The Ambassador and the Deputy Chief of Mission have discussed issues of religious freedom with representatives of American faith-based NGO's working in country.

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## MAURITIUS

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

Tensions between the Hindu majority and Christian, Creole, and Muslim minorities persist; however, members of each group worshipped without hindrance.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 718 square miles, and its population is slightly more than 1.1 million. In the 2000 census, approximately 50 percent of the population claimed to be Hindu, 32 percent Christian, and 16 percent Muslim. Less than 1 percent claimed to be Buddhist, another faith, atheist, or agnostic. There are no figures for those who actually practice their faith, but there are estimates that the figure is around 60 percent for all religious groups.

Approximately 85 percent of Christians are Roman Catholic. The remaining 15 percent are members of the following churches: Adventist, Assembly of God, Christian Tamil, Church of England, Pentecostal, Presbyterian, Evangelical, Jehovah's Witnesses, and the Church of Jesus Christ of Latter-day Saints (Mormons). Sunni Muslims account for more than 90 percent of Muslims; however, there are some Shi'a Muslims. Many Buddhists also are practicing Catholics, since many citizens of Chinese ancestry have sent, and continue to send, their children to the Loreto Convent primary schools, which are managed by the Catholic diocese, in the major towns.

The north tends to be more Hindu and the south is more Catholic. There also are large populations of Hindus and Catholics in the main cities from the capital of Port Louis to the central cities of Quatre Bornes and Curepipe, and most Muslims and Christian churches are concentrated in these areas. The offshore island of Rodrigues, with a population of 36,084, predominantly is Catholic.

The country is a small island nation, and ethnic groups, known as "communal groups," are tightly knit. Intermarriage is relatively rare, although the most recent census indicates that intermarriage is increasing. An individual's name easily identifies his or her ethnic and religious background. There is a strong correlation between religious affiliation and ethnicity. Citizens of Indian ethnicity usually are Hindus or Muslims. Citizens of Chinese ancestry usually practice both Buddhism and Catholicism. Creoles and citizens of European descent usually are Catholic. Although there is concern among Hindu organizations that evangelical Christian churches are converting Hindus to Christianity, the 1990 and 2000 censuses show that the proportions of membership in the various faiths have remained the same during the last 10 years.

There are foreign missionary groups active in the country, including the Baptist Church, the Church of Jesus Christ of Latter-Day Saints, and the International Society for Krishna Consciousness.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion.

Religious organizations and faiths that were present in the country prior to independence, such as the Roman Catholic Church, the Church of England, the Presbyterian Church, the Seventh-Day Adventists, Hindus, and Muslims, are recognized in a parliamentary decree. These groups also receive a lump-sum payment every year from the Ministry of Finance based upon the number of adherents, as determined by a 10-year census. Newer religious organizations (which must have a minimum of 7 members) are registered by the Registrar of Associations and are recog-

nized as a legal entities with tax-free privileges. No groups are known to have been refused registration.

Foreign missionary groups are allowed to operate on a case-by-case basis. There are no government regulations detailing the conditions of their presence or limiting their proselytizing activities. Groups must obtain both a visa and a work permit for each missionary. The Prime Minister's office is the final authority on all matters pertaining to the issuance of visas and work permits to missionaries. While there are no limits on the ability of missionaries to operate when they are in the country, there are limits on the number of missionaries permitted to obtain the requisite visas and work permits to live and work in the country. These limits are determined on a case-by-case basis.

#### *Restrictions on Religious Freedom*

While the Government is secular in both name and practice, for political reasons in the past it has favored the Hindu majority of the population with greater access to government patronage; however, there were no reports that this continued in practice.

Some minorities, usually Creoles and Muslims, allege that a glass ceiling exists within the upper echelons of the civil service that prevents them from reaching the highest levels; however, citizens with a Hindu background predominate in the upper echelons of the civil service.

While some Creole political groups alleged that Christian Creoles received unjust treatment from the police, there was no evidence that this was based on religious differences in particular. Observers believe that such incidents likely are a result largely of the Creoles' position as the country's underclass, as well as ethnic differences, since the police force predominantly is Indo-Mauritian. Tensions between Creoles and police were ongoing at the end of the period covered by this report.

Foreign missionaries sometimes are prohibited from residing in the country beyond 5 years (which would permit them to seek Mauritian citizenship). Religious organizations are permitted to send new missionaries to replace them; however, missionary groups sometimes encounter bureaucratic obstacles in obtaining work permits and residence visas for replacements. This occasionally prevents such organizations from replacing departing missionaries in a timely fashion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Tensions between the Hindu majority and Christian, Creole, and Muslim minorities persist; however, no violent confrontations resulted during the period covered by this report.

In December 2000, police arrested and charged Cehl Meeah, the leader of the local chapter of Hezbollah, and three others for the 1996 killing of three rival Muslim political activists. His hearing began on November 6, 2001, and was ongoing at the end of the period covered by this report.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Support for some conflict resolution activities was provided under the U.S. Democracy and Human Rights Fund.

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## MOZAMBIQUE

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion; however, the Constitution bans religious denomination-based political parties as threats to national unity.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 308,642 square miles, and its population is approximately 17 million. According to the National Institute of Statistics, half of the population does not profess to practice a religion or creed; however, scholars at local universities assert that virtually all persons recognize or practice some form of traditional indigenous religion. Of the approximately 8 million persons who profess a recognized religion, 24 percent are Roman Catholic, 22 percent are Protestant, and 20 percent are Muslim. Many Muslim clerics disagree with this statistic, claiming that Islam is the country's majority religion.

Religious communities are dispersed throughout the country. The northern provinces and the coastal strip are most strongly Muslim, Catholics predominate in the central provinces, and Protestants are most numerous in the southern region. Government sources note that evangelical Christians represent the fastest growing religious group, with the number of young adherents under the age of 35 increasing rapidly.

There are 541 distinct denominations of religions and 101 religious organizations registered with the Department of Religious Affairs of the Ministry of Justice (see Section II). Among Muslims only a generic "Islamic" community (Sunni) and the Ismaili community are registered. Among Christians the Roman Catholic, Anglican, and Greek Orthodox Churches are registered along with Presbyterian, Methodist, Baptist, Congregational, Seventh-Day Adventist, Church of Jesus Christ of Latter-Day Saints (Mormon), Nazarene, and Jehovah's Witnesses groups, as well as many other evangelical, apostolic, and Pentecostal churches. The Zion Christian Church, the largest of the African Independent Churches in the country, also has a large number of adherents. Jewish, Hindu, and Baha'i communities are registered and constitute small minorities. Religious communities tend to draw members from across ethnic, political, economic, and racial lines.

Traditional indigenous practices and rituals are present in most Christian churches, including Catholic churches, and in most Muslim worship. For example, members of these faiths commonly travel to the graves of ancestors to say special prayers for rain. Similarly Christians and Muslims continue to practice a ritual of preparation or inauguration at the time of important events (for example, before a first job, a school examination, or a swearing-in) by offering prayers and spilling beverages on the ground to please ancestors. Some Christians and Muslims consult "curandeiros," traditional healers or spiritualists some of whom themselves are nominal Christians or Muslims—in search of good luck, healing, and solutions to problems.

Dozens of foreign missionary and evangelical groups operate freely in the country, representing numerous Protestant denominations, as well as the Summer Institute of Languages Bible Translators and the Tabligh Islamic Call Mission. Muslim missionaries from South Africa have established Islamic schools (madrassas) in many cities and towns of the northern provinces.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides that all citizens have the freedom to practice or not to practice a religion and gives religious denominations the right to pursue their religious aims freely, and the Government generally respects these rights in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion.

The law requires religious institutions and missionary organizations to register with the Ministry of Justice, reveal their principal source of funds, and provide the names of at least 500 followers in good standing. No particular benefits or privileges are associated with the registration process, and there were no reports that the Government refused to register any religious group during the period covered by this report. The Christian Council reports that not all religious groups register, but unregistered groups worship unhindered by the Government.

The Government does not favor a particular religion, nor is there a state or dominant religion. There are no national holidays that are religious in nature, but the Government has a liberal leave policy to permit religious observance.

The Government routinely grants visas and residence permits to foreign missionaries. Like all foreigners residing in the country, missionaries face a somewhat bur-

densome process in gaining legal residency; however, they conduct activities without government interference throughout the country.

The Constitution gives religious groups the right to own and acquire assets, and these institutions are allowed by law to own and operate schools. There are increasing numbers of religious schools in operation. In 2000 the Islamic community began construction of a primary and secondary school for 1,000 students in Maputo and has established a small college in Nampula; the secondary school began operating during the period covered by this report. A Sudanese organization registered with the Ministry of Education provides funding for two secondary schools in Nampula and Gaza. The Catholic University has educational facilities in Maputo, Beira, Nampula, and Cuamba. Religious instruction in public schools is prohibited strictly.

A conference of bishops, including Catholic and Anglican members, meets regularly and consults with the President of the Republic.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion; however, the law governing political parties specifically forbids religious parties from organizing and any party from sponsoring religious propaganda. In 1998 the Independent Party of Mozambique (PIMO), a predominantly Muslim group without representation in Parliament, began arguing for the right of political parties to base their activities on religious principles. The Government has tolerated PIMO's activities, although it has criticized the group. PIMO and some members of the legislature argued that the Movimento Islamico, a parliamentary caucus of Muslims from the ruling Frelimo party, was tantamount to a religious party.

Most places of worship nationalized by the Government have been returned to the respective religious organizations; however, the Catholic Church and certain Muslim communities claimed that some other properties such as schools, health centers, and residences unjustly remain in state hands and continued to press for their return. The Directorate for Religious Affairs is mandated to address the issue of the return of church properties. Government sources stated that the majority of properties were returned, with a few cases still being examined on an individual basis, including two cases in Maputo that remained unresolved by the end of the period covered by this report. Provincial governments have the final responsibility for establishing a process for property restoration. The return of church property is problematic when the facility is in use as a public school, health clinic, or police station, because funds for construction of new facilities are scarce.

In 2001 after several decades of unsuccessful attempts to gain a building permit, the Islamic community began constructing the Grand Mosque in downtown Maputo. The Government previously had refused to grant permission for mosques to be built in the center of major cities. Services were held at the mosque; however, formal inauguration of the Mosque remained pending at the end of the period covered by this report. The Hindu temple in Maputo, which was inaugurated on May 20, 2002, is the first official Hindu temple in the country in 80 years.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among communities of different faiths generally are amicable, especially at the grassroots level. The black and Indian Islamic communities tend to remain separate; however, there were no reports of conflict. The mostly Indian Muslim communities have assisted financially the poorer black Islamic mosques.

The 5-year-old Forum of Religions, an organization for social and disaster relief composed of members of the Christian Council of Mozambique, the Greek Orthodox Church, and the Muslim, Baha'i, and Jewish communities, is an example of interfaith cooperation. The goal of the forum is to offer collective assistance to the needy, without regard to creed. During the floods of 2000 and 2001, numerous religious communities jointly contributed to flood relief efforts.

In 2000 various religious and civic society organizations, such as the League of Human Rights, the Islamic Council, the Christian Council, and the Bar Association, formed a Civil Society Commission. The body investigated the deaths from asphyxiation of approximately 100 prisoners in Montepuez, Cabo Delgado. However, a prominent Maputo imam noted that the Islamic community often is left out of this type of social and political dialog.

The Catholic Church played a leading role in brokering the 1992 Rome Peace Accords between the Frelimo Government and Renamo opposition party coalition. Since that time, it has continued to encourage the evolution of the political system. The Catholic Church and Caritas International, citing the country's successful transition from war to "peaceful communal living," hosted a conference in 2000 in Maputo on peace and justice. During the period covered by this report, the Catholic Church published pastoral letters encouraging the faltering dialog between Frelimo and Renamo; strongly criticizing the deaths of the prisoners in Montepuez, Cabo Delgado, in 2000; and criticizing a rise in criminality and corruption, including the 2000 killing of renowned journalist Carlos Cardoso.

In early 2000, civil society and the media highlighted religious aspects of draft Family Law legislation. Debate focused on the need for legal recognition of religious and common law marriages, as only civil marriages are legal. Under the proposed law, polygynous marriages would not be recognized, although the law would offer protection to the widows and children of polygynous unions. Several leaders within the Islamic community oppose the proposal for not recognizing polygyny. On the other hand, approximately 50 Muslim women staged a public protest against polygyny in early May 2000. Some Islamic groups oppose a section of the law that would raise the legal age of marriage for women from 14 to 16 years of age, the legal age for men. However, during the period covered by this report, all religious faiths approved a consensus proposal to raise the minimum age of marriage to 18 years for both men and women, according to a local nongovernmental organization (NGO). As a result, the proposed legislation was expected to be submitted to Parliament by the end of 2002; however, no further action was taken by the end of the period covered by this report.

In 2000 the mayor of Nacala declared a 13-year-old Islamic preacher from Tanzania, Said Johnson, persona non grata and gave him 24 hours to leave the country following the assembly of large crowds to hear his preaching. Although the boy returned to Tanzania, the Minister of Justice and provincial governor reversed the order. Johnson subsequently visited Maputo in July 2001 and spoke before a large rally.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Government actions in support of religious freedom have involved a variety of demarches on human rights matters to the Government. The Ambassador and Embassy officials also held several meetings with representatives of religious-based NGO's as well as with several American missionaries. New relations were established with the Islamic University in Nampula and its Vice Rector. In addition the Secretary General of the Muslim Youth Union was chosen to participate in an Embassy program on HIV/AIDS Faith-Based Initiatives.

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## NAMIBIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 318,252 square miles, and its population is approximately 1.8 million. A vast majority of citizens—more than 90 percent—identify themselves as Christian. The two largest denominations are the Lutheran and Roman Catholic Churches, although there also are smaller numbers of Baptists, Methodists, and Mormons (Church of Jesus Christ of Latter-Day Saints). The Himba, an ethnic group that constitutes less than 1 percent of the population, practice a traditional indigenous religion oriented toward their natural environment in the desert northwest. The San people (also known as bushmen), who constitute less than 3 percent of the population, also practice a traditional indigenous religion.

Other non-Christian denominations include the Jewish, Muslim, Buddhist, and Baha'i faiths. Practitioners of these religions predominantly are immigrants, descendants of immigrants, or converted after recent proselytizing. They reside primarily in urban areas. There are few atheists in the country.

Foreign missionary groups, including Lutherans, Roman Catholics, Baptists, Mormons, and Baha'is, operate in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion, nor does the Government subsidize any particular denomination.

The Government does not recognize any religion formally. There are no registration requirements for religious organizations.

The Government recognizes Good Friday, Easter Monday, Ascension Day, and Christmas Day as national holidays.

### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally unrestricted practice of religion.

Some foreign missionaries have complained about the difficulty of obtaining work and residency permits; however, religious workers are subject to the same bureaucratic impediments in obtaining work and residency permits that face all foreign citizens.

There were no reports of religious prisoners or detainees.

### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations between the many religious communities are amicable.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy engaged the Government in regard to revising its policy on granting residence and work permits for foreign nationals, including both religious and lay workers. Embassy staff members have frequent contact with citizens and foreign visitors from a wide variety of religious faiths.

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## NIGER

The Constitution provides for "the right of the free development of each individual in their spiritual, cultural, and religious dimensions," and the Government generally respects the freedom to practice one's religious beliefs, as long as persons respect public order, social peace, and national unity.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

There are generally amicable relations between the various religious communities; however, there were instances when members of the Islamic majority were not tolerant of the rights of members of minority religions to practice their faith. For example, in the November 2000 riots led by Islamic fundamentalists, rioters targeted two Christian missionary sites.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 489,076 square miles, and its population is approximately 11,200,000. Islam is the dominant religion and is practiced by more than 90 percent of the population. There also are small practicing communities of Christians (including Jehovah's Witnesses) and Baha'is. Christians, both Catholics and Protestants, account for less than 5 percent of the population but are active particularly in Niamey and other urban centers with expatriate populations. As Christianity was the religion of French colonial institutions, its followers include many local believers from the educated, the elite, and colonial families, as well as Africans from neighboring coastal countries, particularly Benin, Togo, and Ghana. Numbering only a few thousand, the Baha'is are located primarily in Niamey and in communities on the west side of the Niger River, bordering Burkina Faso. A small percentage of the population practice traditional indigenous religions. There is no information available regarding the number of atheists in the country.

Active Christian missionary organizations include Southern Baptist, Evangelical Baptist, Catholic, Assemblies of God, Seventh-Day Adventist, Serving in Mission (SIM), and Jehovah's Witnesses.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for "the right of the free development of each individual in their spiritual, cultural, and religious dimensions," and the Government generally respects the freedom to practice one's religious beliefs, as long as persons respect public order, social peace, and national unity.

No religious group is subsidized, although the Islamic Association has a weekly broadcast on the government television station. Christian programming generally is broadcast only on special occasions, such as Christmas.

Religious organizations must register with the Interior Ministry. This registration is a formality, and there is no evidence that the Government ever has refused to register a religious organization. The Government must authorize construction of any place of worship; however, there were no reports that the Government refused such construction during the period covered by this report.

Foreign missionaries work freely, but their organizations must be registered officially as associations. In addition to proselytizing, most missionary groups generally offer development or humanitarian assistance. The Christian community in Galmi, Tahoua Department, houses a hospital and health center run by SIM missionaries. The hospital and health center have been in operation for more than 40 years.

Christmas, Easter, and Muslim holy days are recognized as national holidays.

*Restrictions on Religious Freedom*

In reaction to rioting by Islamic fundamentalist groups in November 2000 (see Section III), the Government banned six fundamentalist-oriented organizations. The Government justified the ban on the grounds that these organizations were responsible for "disturbing the peace." In the fall of 2001, the Government banned two additional Islamic organizations because they sent threatening letters to a foreign embassy. Despite the ban, in April 2002, the same organizations issued a tract calling for a jihad in which they denounced the secular state and advocated Shari'a law. The Government reaffirmed the ban and warned those who signed the tract to stop such actions. In June 2002, the Government subsequently arrested the leaders of both organizations and charged them with incitement to revolt. They remained in detention at the end of the period covered by this report. No mainstream Islamist organizations or human rights organizations have challenged the legality of the bans, which still were in effect at the end of the period covered by this report.

Starting in 1998, Southern Baptist missionaries in Say (30 miles south of Niamey) faced harassment by members of the majority Islamic community. Upon notifying authorities, the missionaries were told that, while it was within their rights to be there, the local police could not ensure their safety. The problem continued through September 1999, when the missionaries decided to move away. In May 2000, the same Islamic activists in Say threatened to burn down the meeting place of the local Christians who remained. They also threatened to beat or have police arrest a local Christian man in the village of Ouro Sidi who continued to work with the Southern Baptists. There were no reports that such threats ever were carried out during the period covered by this report, and there were no reports of further threats.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

There are generally amicable relations among the various religious communities; however, there have been instances when members of the Islamic majority were not tolerant of the rights of members of minority religions to practice their faith. The local Islamic communities consider the cities of Say, Kiota, Agadez, and Madarounfa holy, and the practice of other religions in those cities is not tolerated as well as in other areas.

In November 2000, several Islamist groups demonstrated in Niamey and Maradi, 400 miles east of the capital, to protest a fashion show being held near Niamey. The demonstrations turned violent, and protesters targeted bars, purported prostitutes, and legal betting kiosks. Also in November 2000, as Maradi police were preparing to meet with Islamic fundamentalists, traditional leaders, and local officials to defuse the situation, mobs led by Islamic fundamentalists attacked the Abundant Life Church and the nearby compound of SIM. The police responded haphazardly, and both facilities suffered extensive damage in the attacks. The police arrested 100 persons in connection with the violence in Maradi and banned 6 Islamic groups (see Section II). In May 2001, all but 20 persons were released. During 2001 the missionary groups offered to request that the Government drop the charges against the remaining prisoners in return for an admission of responsibility for the attacks; however, the marabout who organized the attacks refused to do so. He and his associates remained in prison for more than 1 year and were granted provisional release on bail in January 2002. While the charges against them technically still were pending at the end of the period covered by this report, due to the Government's severe resource constraints, it is not certain when they will be tried.

Some efforts were made to promote interfaith understanding. For example, the Baha'is have sponsored religious tolerance campaigns that have garnered local press coverage.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy regularly emphasizes the importance of tolerance in its public statements and in meetings with government officials and members of civil society.

During the period covered by this report, Embassy officials met with leaders of a wide range of Islamic organizations, including mainstream academics and fundamentalists, to hear their perspectives on issues facing the country, such as AIDS, and to foster broader understanding.

The U.S. Embassy maintains good relationships with minority religious groups, most of which are long-term resident missionaries and well-known members of the American community. Embassy officials also have contact with the Catholic mission, the Baha'i community, and Islamic organizations.

In response to the incidents of November 2000 (see Section III), U.S. Embassy officials immediately met with the missionary victims and senior government, police, and regional military officials in Maradi. The U.S. Ambassador and Deputy Chief of Mission traveled to Maradi during the period covered by this report to demonstrate the U.S. Embassy's ongoing attention to religious freedom and tolerance.

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**NIGERIA**

The Constitution provides for freedom of religion, including freedom to change one's religion or belief, and freedom to manifest and propagate one's religion or belief in worship, teaching, practice, and observance, and while the Federal Government generally respects religious freedom, there were some instances in which limits were placed on religious activity in order to address security and public safety concerns. Some state governments restricted these rights in practice in certain respects. The Federal Government has instituted a committee charged with drafting uniform Shari'a criminal and procedural laws that could be adopted by all states.

There was no change in the status of respect for religious freedom during the period covered by this report.

Inter-religious tension between Christians and Muslims remained high, and there were several violent ethno-religious conflicts during the period covered by this report, including in September 2001 in Plateau State, which resulted in the deaths of more than 2,300 persons. There was some societal discrimination against religious minorities.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 356,700 square miles, and its population is estimated to be 120 million; however, there has not been an accurate census for more than 30 years, and many observers believe that the country's population exceeds this figure. Approximately half of the country's population practice Islam, approximately 40 percent practice Christianity, and approximately 10 percent practice exclusively traditional indigenous religions or no religion. Many persons practice elements of Christianity or Islam and elements of a traditional indigenous religion. The predominant form of Islam in the country is Sunni. The Christian population includes Roman Catholics, Anglicans, Baptists, Methodists, Presbyterians, and a growing number of Evangelical and Pentecostal Christians. Catholics constitute the largest Christian denomination.

There is a strong correlation between religious differences and ethnic and regional diversity. The north, which is dominated by the large Hausa and Fulani ethnic groups, predominantly is Muslim; however, there are significant numbers of Christians in the middle belt states and in urban centers of the north. Both Muslims and Christians are found in large numbers in the Middle Belt. In the southwest, where the large Yoruba ethnic group is the majority, there is no dominant religion. Most Yorubas practice either Islam or Christianity, while others continue to practice the traditional Yoruba religion, which includes a belief in a supreme deity and the worship of lesser deities that serve as agents of the supreme deity in aspects of daily life. In the east, where the large Igbo ethnic group is dominant, Catholics and Methodists are the majority, although many Igbos continue to observe traditional rites and ceremonies.

Foreign missionaries operate in the country and include Jesuits, Dominicans, the Church of Jesus Christ of Latter-Day Saints (Mormons), the Church of Christ, and the Society for International Missions. Rough estimates put the number of foreign missionaries at more than 1,000, with many in the area around Jos, in Plateau State. Many have resided in the country for a decade or longer. There reportedly are fewer foreign Muslim missionaries, and they stay in the country for shorter periods of time than their Christian counterparts. Muslim organizations often focus on training citizens in traditional centers of Islamic education abroad and then returning them to the country.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, including freedom to change one's religion or belief, and freedom to manifest and propagate one's religion or belief in worship, teaching, practice, and observance, and while the Federal Government generally respects religious freedom, there were some instances in which limits were placed on religious activity in order to address security and public safety concerns. Some state governments restricted these rights in practice in certain respects.

The Constitution prohibits state and local governments from adopting an official religion; however, some Christians have alleged that Islam has been adopted as the de facto state religion of several northern states, citing the reintroduction of Shari'a criminal law and the continued use of state resources to fund the construction of mosques, the teaching of Alkalis (Muslim judges), and pilgrimages to Mecca (Hajj). However, state funds also are used to fund Christian pilgrimages to Jerusalem. In general states with a clear Christian or Muslim majority overtly favor the majority faith. There are 36 states in the country; governors have substantial autonomy in decisionmaking but derive the vast majority of their resources from the Federal Government. Both the Federal and state governments are involved in religious matters, including the regulation of mandatory religious instruction in public schools, subsidized construction of churches and mosques, state-sponsored participation in the Hajj, and pilgrimages to Jerusalem.

The Constitution provides that states may elect to use Islamic (Shari'a) customary law and courts. Until the reintroduction of criminal Shari'a by Zamfara State in

2000, the jurisdiction of Shari'a courts, which are part of the regular court system, had been limited to family or personal law cases involving Muslims, or to civil disputes between Muslims who consent to the courts' jurisdiction. However, the Constitution states that a Shari'a court of appeal may exercise "such other jurisdiction as may be conferred upon it by the law of the State." Some states have interpreted this language as granting them the right to expand the jurisdiction of existing Shari'a courts to include criminal matters. In 1999 the governor of Zamfara State, Ahmed Sani, signed a bill that established Shari'a courts and courts of appeal in Zamfara State, and another bill that constituted the Shari'a penal code; the bills took effect in 2000. Zamfara's law adopted traditional Shari'a in its entirety, with the exception that apostasy was not criminalized. Other Muslim communities, particularly from Kano, Niger, Sokoto, Jigawa, Borno, Yobe, Kaduna, and Katsina states, began to echo the call for Shari'a in their states. By the end of the period covered by this report, 12 northern states had adopted variations of Shari'a law—Zamfara, Sokoto, Kebbi, Niger, Kano, Katsina, Kaduna, Jigawa, Yobe, Bauchi, Borno, and Gombe. According to media reports, elements of the large Muslim minority of Oyo State have called for the implementation of elements of civil Shari'a; however, the Government has not responded. Adherence to the new Shari'a provisions is compulsory for Muslims in some states and optional in others. On November 2, 2001, Kaduna State implemented a modified version of Shari'a law. According to state Governor Ahmed Makarfi, Islamic punishments will not be incorporated into the criminal code in Kaduna, as has happened in several other northern states.

The Constitution also provides that the Federal Government is to establish a Federal Shari'a Court of Appeal and Final Court of Appeal; however, the Government had not yet established such courts by the end of the period covered by this report. Federal appeals dealing with Islamic law were heard by appellant jurists trained in Islamic law.

In 1999 President Obasanjo expressed the view that the expanded Shari'a provisions were unconstitutional; however, the Federal Government did not intervene legally to annul the provisions. The Federal Government tacitly has acknowledged the ability of states to implement criminal Shari'a. However, the Federal Government has instituted a committee charged with the responsibility to draft uniform Shari'a criminal and procedural laws that could be adopted by all states. In March 2002, Justice Minister Kanu Agabi made public a letter to northern governors in which he stated that sentences given under Shari'a law should not be harsher than those imposed by general secular law; however, no action resulted from this letter. Defendants have the right to challenge the constitutionality of Shari'a criminal statutes through the courts; however, no challenges with adequate legal standing had made their way through the appellate system by the end of the period covered by this report.

Although many non-Muslims had feared that the implementation of Shari'a would change their way of life, there has been little or no change in the daily lives of most non-Muslims. While some state and local governments have interpreted the new Shari'a laws stringently, the majority have interpreted their laws differently and implemented them with moderation. There also is a trend developing among some sections of the Muslim community to shift focus from the criminal law aspects of Shari'a law to its tenets of social justice and charity for the poor. Islamic scholars and many Muslim lawyers began educating the poor and the less well informed about their procedural rights under Shari'a. Several lawyers offer free services to the indigent in cases with potentially severe punishments.

Christian and Islamic groups planning to build new churches or mosques are required to register with the Corporate Affairs Commission (CAC). The law requires that such groups name a board of trustees, place a notice of the group's intent to organize in three nationwide newspapers, and send trustee information to the CAC. If no objections are received, the group can proceed with its meetings. This law was put into effect to stem the proliferation of new buildings in the absence of zoning laws, to resolve legal questions arising from disputes over church ownership and control, to provide a single registry for government reference in the event that compensation is demanded following civil disturbances, and to allow for legal solemnization of marriages. The CAC did not deny registration to any religious group during the period covered by this report; however, some religious groups experienced delays in obtaining permission from local zoning boards to build houses of worship. Many nascent churches and Islamic congregations ignore the registration requirement, and a small number have had their places of worship shut down because of enforcement of zoning laws. Some persons claimed that enforcement of these laws was selective.

The Government remained a member of the Organization of Islamic Conference (OIC) during the period covered by this report and continued to send representa-

tives to the annual meeting in Cairo despite concerns of Christian citizens that this action undermined the concept of a secular state.

Each year the Government declares the following Islamic and Christian festival days as national holidays: Eid-el-Asha, Eidel-fitr, Good Friday, Easter Monday, Eid-el-maulud, Christmas Day, and Boxing Day.

Some state governors actively have encouraged interfaith and interethnic discussions and have taken steps to prevent further violence and tension. The Government encourages the activities of nongovernmental organizations (NGO's) such as the Kaduna-based Inter-Faith Mediation Center and the Muslim/Christian Dialog Forum.

#### *Restrictions on Religious Freedom*

Throughout the year, the Government nominally required organizers of outdoor public functions to apply for permits, although both government authorities and those assembling often ignored this requirement. The Government retained legal authority to ban gatherings whose political, ethnic, or religious content might lead to unrest. In 2000 several northern state governments banned open air preaching and public religious processions. In September 2001, the Kaduna state government extended a ban on all forms of processions, rallies, demonstrations, and meetings in public places. Such bans were viewed as necessary public safety measures after approximately 2,000 people died in Shari'a related violence nationwide in 2000. In October 2001, a security forces committee banned all political, cultural, and religious meetings in Plateau State following ethno-religious violence in Jos, the state capital (see Section III). On October 31, 2001, the Ondo state government banned open-air religious meetings by both Christians and Muslims in a bid to prevent religious violence. None of these bans had been lifted formally by the end of the period covered by this report; however, state governments granted some permits on a case-by-case basis. In the southern part of the country, large outdoor religious gatherings continued to be common. Unlike in the period covered by the previous report, no curfews were in effect.

Following nationwide Shari'a-related violence in 2000, many northern states banned public proselytizing, although it is permitted by the Constitution. The Katsina and Plateau state governments enacted and maintained a ban on public proselytizing for security reasons during the period covered by this report; however, some groups have been allowed to carry out activities despite the formal bans, which were enforced on a case-by-case basis. Some states allowed some public proselytizing by Christians and Muslims. Missionaries reported that law enforcement officials harassed them when they proselytized outside of their designated zones. Both Christian and Muslim organizations alleged that the Ministry of Foreign Affairs and the Immigration Department restricted the entry into the country of certain religious practitioners, particularly persons suspected of intending to proselytize. Proselytizing did not appear to be restricted in the southern part of the country. Many missionary groups also have noted bureaucratic delays and obstruction and attempts to extort money for the processing of necessary residence permits for foreigners; however, many foreign businesses and other nonreligious organizations also have encountered similar difficulties.

Although the expanded Shari'a laws technically do not apply to non-Muslims, the non-Muslim minority, especially in Zamfara State, has been subjected to certain social provisions of the laws, such as the separation of the sexes in health facilities; bans on the sale of alcohol and alcohol consumption; and decisions by some entrepreneurs not to engage in certain activities out of concern for Shari'a restrictions. Niger State also has enforced a ban on the selling of alcohol. Consumption of alcohol by non-Muslims has not been criminalized; however, its sale and public consumption have been restricted throughout most of the north, except on Federal Government installations such as military and police barracks. In Zamfara State, a law to segregate sexes in public transportation was repealed after 2 weeks; however, segregation still occurred in some cases. Christian associations have arranged for private transportation services for Christian women so that they are not forced to wait for female only transportation provided by the Zamfara State government. Sokoto State's transportation system is run completely by private operators, and Sokoto state governor Dalhatu Bafarawa said that the state cannot compel private operators to carry female passengers if doing so violates their religious convictions. The Governor of Zamfara disbursed public funds to refurbish mosques, and also pronounced that only persons with beards would win government contracts; however, contracts were awarded to persons without beards. There is a long tradition of separating schoolchildren by gender in the north; this practice was codified in Kebbi and Sokoto states in 2000. Although some form of segregation by gender occurred in

many secondary schools in the North, it was enforced locally, rather than on a state-wide basis.

In Zamfara State, laws proposed during the period covered by this report included a dress code for women that bans short skirts and trousers, the mandatory closing of shops on Fridays, and a ban of video rental clubs. The Christian Association of Nigeria (CAN) branch in Zamfara State has protested these new laws to the Zamfara state government. Reportedly they were told that the first law was proposed on public decency grounds, and that the second law only would apply to Muslim businesses. The laws were not enacted by the end of the period covered by this report.

All Muslims in states that expanded Shari'a to criminal matters are subject to the new Shari'a criminal codes. In Zamfara State, all cases involving Muslims must be heard by a Shari'a court. Other states with Shari'a law still permit Muslims to choose common law courts for criminal cases; however, societal pressure forces most Muslims to use the Shari'a court system. In apparent violation of traditional Shari'a jurisprudence, some Alkalis judges denied the same level of Shari'a criminal protection to women that they provide to men.

There are no legal provisions barring women or other groups from testifying in civil court or giving their testimony less weight; however, the testimony of women and non-Muslims usually is accorded less weight in Shari'a courts. For example, if one woman testifies, a second woman also must provide testimony to equal the weight of the testimony of one man.

The law prohibits religious discrimination; however, government officials sometimes discriminated against persons practicing a religion different religion than their own, notably in hiring practices and in the awarding of state contracts.

Christians in the predominantly Muslim northern states alleged that local government officials used zoning regulations to stop or slow the establishment of new Christian churches. Officials have responded that many of these new churches are being formed in traditionally residential neighborhoods that were not zoned for religious purposes. CAN offices in Zamfara and Sokoto states alleged that local authorities there delayed or denied to Christians certificates of occupancy (CO's), which are required to show title to land. For example, the Catholic Church in Zamfara State has been unable to retake possession of a clinic that was confiscated during a period of military rule in the 1970's. Renewal of the CO for the church building was approved; however, the Church has been unable to obtain a CO to reoccupy the clinic building and the adjoining land. Zamfara and Sokoto state officials denied that discrimination was behind the cases cited by CAN. State officials said the certification boards were dealing with a large backlog of cases for all persons, regardless of religious faith. Muslims have complained that they were denied permission to build mosques in the predominantly Christian southern states of Abia and Akwa Ibom.

Although religious belief or adherence is not required for membership in registered political parties, in May 2001, the Zamfara state house assembly suspended for 3 months two of its Muslim members—Ibrahim Musa Murai and Abdullahi Majidadi Kuryafor not supporting bills introduced by the governor; they were reinstated during the period covered by this report.

Although distribution of religious publications remained generally unrestricted, the Government continued to enforce lightly a ban on published religious advertisements. There were reports by Christians in Zamfara State that the state government restricted the distribution of religious (Christian) literature. In 2000 Bishop Samson Bala of Gusau Diocese said that the state radio station had closed its doors to Christians. According to Bishop Bala, commercials and paid advertisements containing Christian content were not accepted, and only Islamic religious programs were aired. Similar discrimination against the use of state-owned media for Muslim programming was reported in the south.

The Federal Government continued to enforce a ban on religious organizations on campuses of primary schools, although individual students retain the right to practice their religions in recognized places of worship. According to the Constitution, students are not required to receive instruction relating to a religion other than their own; however, public school students throughout the country were required to undergo either Islamic or Christian religious instruction. Islamic studies are mandatory in public schools in Zamfara and other northern states, often to the exclusion of Christianity. State authorities claim that students are permitted to decline to attend these classes or to request a teacher of their own religion to provide alternative instruction. For example, there are no teachers of "Christian Religious Knowledge" in many northern schools. There are reports that Christianity is taught in the same manner in Enugu and Edo states, and that Muslim students cannot access "Islamic Religious Knowledge" in the public schools. CAN leaders volunteered to place teachers of Christianity in Zamfara and Sokoto state schools, where students alleged that

they were being forced to take courses in Islamic religious knowledge in order to graduate. Governors of both states accepted the offer of assistance and stated that they had not been aware of the problem; however, CAN did not provide any teachers in either state during the period covered by this report, stating that they lacked funding.

In 2000 more than 1,500 Muslim students from the University of Ibadan and Ibadan public schools gathered at Oyo state government offices to protest the failure of public schools to offer Islamic studies courses alongside Christian courses; Islamic courses still were unavailable at the end of the period covered by this report.

#### *Abuses of Religious Freedom*

The extension of Shari'a law in many northern states generated a public debate on whether Shari'a punishments such as amputation for theft, stoning for adultery, and caning for fornication and public drunkenness constituted "torture or—inhuman or degrading treatment" as stipulated in the Constitution.

Several Shari'a courts sentenced persons to death. In January 2002, a Katsina man was hanged in Kaduna State after he was convicted in a Shari'a court of stabbing a woman and her two children to death while robbing her home. The Constitution permits capital punishment; however, this was the first execution since the country's return to democracy in 1999.

Although Shari'a courts sentenced other persons to death, no other sentences were implemented during the period covered by this report. For example, in September 2001, an Islamic court in Kebbi State sentenced a man to be stoned to death for sodomizing a 7-year-old boy. The sentence had not been carried out by the end of the period covered by this report.

On October 19, 2001, a local Shari'a court in Sokoto State convicted and sentenced to death by stoning Safiya Hussaini for adultery because it found her pregnancy to be proof of adultery; she was not married at the time of the pregnancy. Hussaini appealed the sentence by arguing numerous separate grounds for her acquittal, including the Koran, the Hadiths, the Constitution, the Sokoto state Shari'a Penal Code, and the Shari'a Procedure Code. In March 2002, the Sokoto state Shari'a Court of Appeal overturned the conviction, citing several fundamental flaws in the original court's findings, including that the alleged crime must have been committed prior to the implementation of criminal Shari'a in Sokoto State.

In late March 2002, in Katsina State, Amina Lawal was sentenced to death by stoning after confessing to having a child while divorced. The court allowed Lawal to return to her own village at least until January 2004. The appeals court was scheduled to begin hearing her appeal in July 2002.

Four other women were convicted of adultery under Shari'a law; two were released on bail, while two others were sentenced to pay a fine.

According to media reports, in June 2002, a Shari'a court in Bauchi State convicted of adultery and sentenced to death by stoning Yunusa Rafin Chiyawa. He was the first man to be convicted of adultery under Shari'a law. Aisha Haruna, the woman he allegedly had an affair with, was acquitted. It was unclear whether the defendant would appeal his conviction or whether the State government can intervene to file an appeal in the case.

Some northern states have administered amputations and canings pursuant to expanded Shari'a law. For example, on July 6, 2001, Umaru Aliyu had his hand amputated in Sokoto State after being convicted of stealing a goat and approximately \$400. In July 2001, a Shari'a court in Kebbi State sentenced a 15-year-old boy to amputation of one of his hands for stealing \$286 (32,000 naira) from a business man. In September 2000, a Sokoto Shari'a court handed down a sentence of amputation for a thief; the sentence had not been carried out by the end of the period covered by this report.

During the period covered by this report, seven men, who were convicted of stealing and housebreaking, were sentenced to have their right hands amputated in Kano State. Two of the men had appeals pending, and the other five had not exercised their right to appeal. In Bauchi State, four men who were convicted of stealing were sentenced to have their right hands amputated. Bauchi State Governor Adamu Mu'azu referred these cases to the Inspectorate Division of Shari'a Courts for review. Once the review is complete, it is the governor's decision whether or not the sentences are carried out. No further action was taken by the end of the period covered by this report.

Other convicted Muslim criminals in Shari'a law states were subjected to public caning for various minor offenses, such as petty theft, public consumption of alcohol, and engaging in prostitution. For example, in January 2002, a Shari'a judge was flogged publicly after he was convicted of consuming alcohol. Indigent persons with-

out legal representation were more likely to have their sentences carried out immediately upon being sentenced.

In January 2001, Zamfara state officials caned 14-year-old Bariya Magazu for fornication because she bore a child out of wedlock. Magazu reportedly was forced by her father to provide sexual favors to three men to whom he owed debts. Instead of prosecuting the three men for statutory rape, the court required Magazu to produce four witnesses to corroborate her testimony. Because she could not produce four witnesses, the Shari'a court handed down a sentence of 100 lashes for fornication and 80 additional lashes for bearing false testimony. Magazu appealed and the sentence temporarily was suspended; however, the judge eventually imposed a reduced sentence of 100 lashes. Magazu continued her appeal contesting the propriety of her conviction under Islamic law. Magazu's appeal was pending at the end of the period covered by this report.

Unlike in the period covered by the previous report, there were no reports that Shari'a courts tried non-Muslims.

Authorities arrested and detained several religious leaders during the period covered by this report. In August 2001, security agents arrested and detained for 27 days without charge Sheik Yakubu Musa, a Katsina-based Islamic scholar; the Abuja High Court later ordered his release.

On March 2, 2002, State Security Service (SSS) detained and interrogated for 16 hours Pastor Tunde Bakare after he returned to the country from Ghana; he was released without charge. Bakare allegedly prophesied the fall of the Obasanjo government and left the country to avoid the anticipated chaos. Media reports claiming that his passport was confiscated could not be verified.

On March 7, 2002, in Enugu State, police raided the site of a weekly crusade led by charismatic Catholic priest Father Ejike Mbaka and allegedly released a gas, causing a stampede; at least 14 persons were killed and several others were seriously injured. The police later detained Enugu Vicar General Reverend Obiora Ike, allegedly for criticizing the incident. The state government reportedly had warned Father Mbaka to stop publicly criticizing it.

On September 23, 2002, six Pakistani Muslim scholars were arrested and detained without charge in Benue State on suspicion of immigration violations. On November 16, in Sagamu, Ogun State, police arrested the same six Pakistani nationals for alleged incitement of a religious crisis; on November 18, the Immigration Services deported them.

There were media reports that in April 2002, two men were accused of converting from Islam to Christianity. Prosecutors sought the death penalty; however, the judge found that the Zamfara State Shari'a code did not criminalize explicitly apostasy, and therefore he had no legal basis to decide the case. He also gave the men 3 days to reconsider their decision to convert to Christianity and for the Zamfara Government to respond. The men are accused of joining the Great Commission movement, an evangelical church; however, the men claim that they never were Muslims but were Magazawa, a Hausa subgroup that long has practiced Christianity.

A number of state sanctioned private vigilante Shari'a enforcement groups have formed in states with expanded Shari'a law. In Zamfara State, Governor Ahmed Sani vested the local vigilante group with full powers of arrest and prosecution because he believed that the police were not enforcing the new Shari'a laws. Governor Saminu Turaki of Jigawa State also mobilized a statewide Shari'a enforcement committee to arrest, detain, and prosecute Muslim offenders. These groups still exist; however, their activities decreased during the period covered by this report.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Religious differences often correspond to regional and ethnic differences. For example, the north, including part of the Middle Belt, overwhelmingly are Muslim, and the large Hausa and Fulani ethnic groups tend to dominate these areas. Many southern ethnic groups predominantly are Christian. In many areas of the Middle Belt, Muslim Fulani tend to be pastoralists, while the Muslim Hausa and most Christian ethnic groups tend more toward farming or urban living. Consequently it often is difficult to distinguish religious discrimination and tension from ethnic, regional, economic, and land use competition. Religious tensions underscored what

predominantly were ethnic confrontations during the period covered by this report. It is not unusual for two different ethnic groups with a long history of conflict to adopt different religions, which adds a religious aspect to tensions that originally were ethnic.

Following the 2000 violence in Kaduna, the Government sponsored dialog among Kaduna's different religious and ethnic groups, which may have contributed to fewer incidents of ethno-religious violence in the state during the beginning of the period covered by this report. For example, in October 2001, when two small churches caught fire in Kaduna city, Christian and Muslim neighbors helped extinguish the fires, and the state government promised funds to repair them. However, there were significant ethno-religious clashes in Delta, Anambra, Bauchi, Plateau, Nassarawa, Rivers, Benue, Bayelsa, Akwa Ibom, Cross River, and Ebonyi states during the period covered by this report. Numerous persons were killed, injured, or displaced as a result of ethno-religious violence.

The most significant incident occurred between September 7 and 13, 2001, when 2,300 persons were killed in ethno-religious violence in Jos. It is unclear how the unrest began; however, the appointment of an ethnic Hausa to the chairmanship of a local Poverty Alleviation Program had increased tensions and accompanied earlier violence between Christian Sayewa and Muslim Hausa in Tafawa Balewa, Bauchi, only 37 miles away. There also were reports of summary executions of Hausa in outlying villages. Approximately 80 percent of the victims in Jos were Hausa Muslims, who constitute a significant minority in Jos. The military was able to restore order; however, thousands of Hausas fled Plateau State for Kaduna, Kano, Jigawa, and Bauchi. This conflict appears to have been primarily ethnic and secondarily religious. Christians of different groups were reported to have attacked each other, and Yoruba Muslims reportedly attacked Hausa Muslims. According to the Nigerian Red Cross, approximately 11,600 persons were displaced internally. Although the crisis in Jos had religious overtones, it was precipitated, at least partially, by indigenous ethnic groups attempting deny Hausa "immigrants" access to the resources of Plateau State, even though immigrant Hausa settlers originally founded Jos.

On October 12, 2001, 600 to 1,000 Muslims peacefully demonstrated in Kano against U.S. and allied air strikes against Afghanistan. Several hours after the conclusion of the demonstration, rioting broke out in the largest marketplace in the city of Kano. While sparked initially by street thugs, the violence later took on religious and ethnic overtones. A number of churches and three mosques reportedly were burned during the fighting. The following morning, a mob of predominantly Hausa youths attacked shopkeepers and looted shops in the city's major market. During the riots, 100 persons were killed. The army was called out to restore order. Some citizens alleged that the army and police used excessive and lethal force and that several deaths came at the hands of the security forces. Many Igbo and Yoruba residents sent their families south following the violence. In November 2001, police reportedly arrested and charged more than 200 persons in connection with the violence; according to the head of the police in Kano State, 150 persons were taken to court. After order was restored, Governor Kwankwaso held a series of meetings with local ethnic and religious leaders to stem further outbreaks and to rebuild trust between the communities.

On November 3 and 4, 2001, in Gwantu, Kaduna State, at least 10 persons reportedly were killed during fighting, which resulted from a long-standing dispute between rival local leaders that degenerated into violence due to the introduction of a modified form of criminal Shari'a law.

In February 2002, Yoruba youth clashed with Hausa residents in the Idi-Araba area of Lagos. The incident was caused by interethnic tensions but had some religious overtones.

There also were several incidents in which Muslim youths vandalized Christian churches. In June 2001, there were unconfirmed reports that Muslim youths set four churches on fire in Dutse, Jigawa State. In November 2001, Muslim youths reportedly vandalized eight churches in Osogbo, Osun State, and four churches in Ilorin, Kwara State; one person reportedly was killed in Osogbo.

In addition there were reports that in June 2002, extremist Islamic militants killed, injured, and displaced Christians in Jos, Berakin Ladi, Vom, and Miango. There also were reports that several churches were burned, shops and homes looted, and Christian property destroyed in Yelwa Shendam. One of the disputes appeared to have begun after a Muslim man proposed marriage to a Christian woman. The woman's brother beat her, and when her fiance intervened, a fight broke out. What began as a family dispute quickly spread to other parts of the community and took on ethno-religious overtones because of existing tensions between Christians and Muslims in the area.

In September 2000, Gombe State governor Abubakar Hashidu set up a judicial commission of inquiry to investigate the causes of the religious violence that took place in Bamam in 2000. The 17-member committee includes both Christians and Muslims. The commission had not published its results by the end of the period covered by this report.

The law prohibits religious discrimination; however, private businesses frequently are guilty of informal religious and ethnic discrimination in their hiring practices and purchasing patterns. In nearly all states, ethnic rivalries between majority groups and minority "immigrants" lead to some societal discrimination against minority ethnic and religious groups.

Purdah, the Islamic practice of keeping girls and women in seclusion from men outside the family, continued among some families in some parts of the north.

In many parts of the country, girls are discriminated against in their access to education for social and economic reasons; religious beliefs sometimes are a factor. Girls living in the more traditional rural areas, both in the predominantly Muslim north and the predominantly Christian south, are disadvantaged even more than their urban counterparts. In the north, Muslim communities favor boys over girls in deciding which children to enroll in secondary and elementary schools.

Vigilante groups were formed to enforce the new Shari'a laws, and in some cases, punish offenders. Some of these vigilante groups were state-sanctioned. These groups still exist; however, their activities decreased during the period covered by this report.

In Kano State, an unofficial vigilante group known as Hisbah began taking action against both Muslims and Christians who violate the new Shari'a laws. There were no reports of Hisbah actions against Muslims or Christians during the period covered by this report.

#### SECTION IV. U.S. GOVERNMENT POLICY

U.S. Embassy officials regularly discussed religious freedom issues with various federal, state, and local officials, and also prominent citizens. Embassy officials raised religious freedom issues with government officials in the context of the U.S. Government's overall dialog and policy of promoting human rights. The U.S. Government, through the U.S. Embassy and in statements from officials in Washington, sought to encourage a peaceful resolution to the Shari'a issue and urged that human rights and religious freedom be respected in any resolution. The Office of Transition Initiatives (OTI) created programs for conflict resolution training that the U.S. Agency for International Development continues to implement. The following programs target Muslim communities: The International Visitor Program, the American Speaker Program, the Fulbright Senior Scholar Program, the Humphrey Fellowship Program, and programs organized by the Office of Citizen Exchanges. The American Speaker Program particularly has been effective in promoting dialog and informing local audiences about religious freedom in the U.S. The Embassy also began publishing its informational magazine in Hausa, the language of the predominantly Muslim north.

In December 2001, the Ambassador hosted a very successful Iftar dinner, which generated goodwill with leading Muslims. In February 2002, the Embassy's Public Affairs Section sponsored the visit of the Executive Director of the American Muslim Council, Aly Abuzaakouk, to discuss antiterrorism efforts, religious tolerance, and the religious freedom of Muslims in the United States. Abuzaakouk addressed more than 500 Muslims and Christians in Abuja, Ibadan, Jos, Lagos, Kaduna, and Kano states.

The Embassy also sponsored several visits to promote HIV/AIDS awareness. Former President Jimmy Carter, accompanied by Bill Gates Sr., of the Bill and Melinda Gates Foundation, addressed the Presidential Chapel at the Sunday service, where he preached a message of abstinence and faithfulness as a way to halt the spread of HIV/AIDS. In June 2002, Reverend Eugene Rivers of the Ten Point Coalition addressed Muslims and Christians in Kaduna and Lagos and challenged them to overcome their differences, in order to cooperate in the fight against HIV/AIDS.

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## RWANDA

The Constitution provides for freedom of religion; however, while the Government generally respects this right in practice, it imposes some restrictions.

There was a deterioration in the status of respect for religious freedom during the period covered by this report. Since January 2002, there have been new reports that local officials detained members of Jehovah's Witnesses and that school authorities harassed student members. Most of those detained were released; however, two members of the group remained in detention at the end of the period covered by this report. Authorities also arrested members of a religiously oriented nongovernmental organization (NGO) and forbade a former president of the country from attending public church services. The Government continued to watch closely for the development of cult churches and, in March 2002, arrested the leaders of a group considered to be a dangerous cult. However, unlike in the period covered by the previous report, the Government did not tear down any "storefront" churches. Relations between the Government and the Catholic Church continued to improve.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 10,169 square miles, and its population is approximately 8.1 million. A 2001 study conducted by researchers from Johns Hopkins University reported that 49.6 percent of the population were Catholic, 43.9 percent Protestant, 4.6 percent Muslim, 1.7 claimed no religious beliefs, and 0.1 percent practiced traditional indigenous beliefs. This study indicated a 19.9 percent increase in the number of Protestants, a 7.6 percent drop in the number of Catholics, and a 3.5 percent increase in the number of Muslims from the U.N. Population Fund survey in 1996. The figures for Protestants include the growing number of members of Jehovah's Witnesses and evangelical Protestant groups. There also is a small population of Baha'is. There has been a proliferation of small, usually Christian-linked sects since the 1994 genocide.

Foreign missionaries and church-linked NGO's of various faiths operate in the country, including Trocaire, Catholic Relief Services, Lutheran World Federation, World Vision, World Relief, Adventist Development and Relief Agency, Norwegian Church Aid, Salvation Army, African Muslim Agency, American Jewish Distribution Committee, Jesuit Relief Society, Christian Aid, Christian Direct Outreach, Christian Reformed World Relief Committee, and Jesus Alive Ministries. Foreign missionaries openly promote their religious beliefs, and the Government has welcomed their development assistance.

There is no indication that religious belief is linked directly to membership in any political party. Of the eight parties, the only one with a religious component to its name—the Democratic Islamic Party—claims to have non-Muslim members.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion; however, while the Government generally respects this right in practice, it imposes some restrictions. There is no state religion.

The law provides for small fines and imprisonment for up to 6 months for anyone who interferes with a religious ceremony or with a minister in the exercise of his profession.

In April 2001, the Government promulgated a law that increases government influence over NGO's and requires all nonprofit organizations, including churches and religious organizations, to register with the Ministry of Justice to acquire the status of "legal entity." All religious groups reportedly met the April 1, 2002, deadline for filing registration applications, and many groups were granted status as legal entities by the end of the period covered by this report. Other groups experienced delays because of government security procedures, such as criminal background checks of group leaders, or because they were unable to provide required documentation, such as asset statements, financial reports, and constitutions. Ministry of Justice officials worked to resolve these issues with representatives of the religious groups. During the period covered by this report, no application was denied, and no group's religious activities were curtailed as a result of difficulties or delays in the registration process.

The Government permits religious instruction in public schools. In some cases, students are given a choice between instruction in "religion" or "morals." In the past, missionaries established schools that were operated by the Government. In

those schools, religious instruction tends to reflect the denomination of the founders, either Catholic or Protestant. Christian and Muslim private schools operate as well.

The Government observes four religious holidays as official holidays: Christmas, Eid-al-Fitr, All Saints' Day, and Assumption.

The Government, within its limited financial means, has sponsored or participated in a number of religious fora aimed at increasing interfaith understanding and support. In 2001 more than 100 religious organizations also participated in a national conference of independent sections; prior to 1994, the Government allowed only six religious organizations to operate in the country. Relations between the Government and the Catholic Church continued to improve because of collaboration and dialog in the areas of education and reconciliation.

#### *Restrictions on Religious Freedom*

In the past, the Government forbade religious meetings at night on the grounds that insurgents formerly used the guise of nighttime "religious meetings" to assemble their supporters before attacking nearby targets; however, during the period covered by this report, the Government allowed such meetings if churches provided advance notification. Religious leaders reportedly cooperated with the Government in limiting nighttime religious meetings and did not view the restriction as an infringement on their religious freedom. The Government continued to require religious groups to hold services at their established places of worship and to ban the use of private homes for this purpose. Some small religious groups that met in private homes were forced to move to new locations.

Unlike in the period covered by the previous report, no "storefront" churches were torn down because the churches were not registered with the Ministry of Justice. In 2001 the Government's strategy changed to one of urging the groups to register with the Ministry of Justice in order to regularize their status. Some applications still were pending at the end of the period covered by this report.

During an April 2002 radio broadcast, the Prefect of Kibungo Province announced restrictions on the Jehovah's Witnesses' right of assembly and worship and also a ban on the construction of "Kingdom Halls," the group's places of worship. The restrictions were lifted after the group petitioned the national Government. In July 2000, the Prefect of Kibungo announced similar restrictions on the Jehovah's Witnesses' right of assembly and worship.

In February 2002, government authorities forbade Pasteur Bizimungu, a former president of the country who organized a political party that was banned by the Government in 2001, from attending public church services; authorities charged that Bizimungu's presence would be "divisive." The Government's action reportedly was politically motivated. The Government continued to watch closely for the development of cult churches after the doomsday cult deaths in Uganda in 2000.

#### *Abuses of Religious Freedom*

During April and May 2002, local officials detained members of Jehovah's Witnesses, primarily for refusing to participate in nightly security patrols; arrests occurred in Kibungo, Byumba, and Gisenyi Provinces. On two separate occasions in Kibungo Province, government soldiers reportedly arrested persons, took them to military camps, and beat them. Other members of Jehovah's Witnesses, including one secondary school student, were arrested for refusing to salute the flag or to sing the national anthem. Delegations of Jehovah's Witnesses who intervened with local or national authorities generally were able to secure the release of those arrested, who typically were detained from 2 days to 2 weeks; however, two persons remained in detention at the end of the period covered by this report. Local school authorities also suspended students for the same reasons. In Kibungo Province, the Prefect supported such suspensions; the students subsequently were expelled.

In January 2002, police in Butare arrested three members of a local NGO for publishing a newsletter calling for national reconciliation; authorities charged that the newsletter was an incitement to hatred. One of the persons arrested was released within hours of the arrest; the other two were detained for 1 month, after which they were released when a court determined that the charges were unsubstantiated. At the end of the period covered by this report, all three persons remained under government surveillance, and the NGO was not allowed to operate.

In March 2002, the Government arrested Laurent Kalibushi, a dissident Catholic priest, and several members of his prayer group who were holding meetings late into the night in a private home in Kigali. Authorities charged that the prayer group, the Mouvement Sacerdotal Marial, was an "unhealthy and anti-social cult" with ties to the 2000 doomsday cult in Uganda; a large cache of food and fuel found on the premises supported reports that the adults had stopped working and the children had stopped going to school. Some observers believed that the arrests were a

result of the group's ties to the banned political party of former president Bizimungu. Approximately 12 members of the group remained in detention at the end of the period covered by this report.

Some religious leaders were perpetrators of violence and discrimination, and several members of the clergy of various faiths have faced charges of genocide in Rwandan courts, in the International Criminal Tribunal for Rwanda (ICTR) in Arusha, Tanzania, and in foreign courts, notably in Belgium. In September 2001, the ICTR trial for involvement in genocide of Elizaphan Ntakirutimana, a Seventh-Day Adventist pastor, and his son, Gerald Ntakirutimana, began. Catholic Bishop Misago, who was cleared of genocide related charges in June 2000, remained on the list of accused genocidaires after the prosecution announced its intention to appeal the verdict.

Numerous groups, particularly human rights groups, reported that Rwanda Patriotic Army (RPA) troops and Congolese Rally for Democracy (RCD) rebels in the Democratic Republic of the Congo (DRC) targeted Catholic clergy for abuse. Abuses reportedly took the form of arbitrary killings, arrests, and disappearances of pastors, priests, and laymen; public threats against the lives of religious leaders; pillaging and destruction of church property; and the use of armed soldiers to disperse forcibly religious services. Credible reports indicate that RCD and RPA troops deliberately targeted churches and religious leaders in the towns and villages under their control. These actions were believed to be part of an attempt to intimidate the population and in retaliation for the growing role that churches provide as the only safe zones for community discussion and peaceful activism against the presence of Rwandan and RCD/Goma forces in the country.

There were no reports of religious prisoners; however, some Jehovah's Witnesses were detained for refusing to participate in nightly security patrols, saluting the national flag, and singing the national anthem.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among the different religious groups generally are amicable. Disputes between religious groups are rare; however, during the period covered by this report, some local authorities increased tensions between groups when they harassed members of the Jehovah's Witnesses for not participating in nightly security patrols and publicly noted that Protestants, Muslims, and Catholics participated regularly (see Section II).

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy officials maintain regular contact with leaders and members of the religious communities in the country.

During the period covered by this report, U.S. Embassy officials approached senior government officials regarding the renewed official harassment and detention of Jehovah's Witnesses and the March 2002 arrests of members of the Mouvement Sacerdotal Marial. In February 2002, Embassy officials also intervened with senior government officials regarding the detention of the NGO members in Butare and the order to restrict former president Bizimungu from attending public church services.

Embassy officers held numerous meetings with members of the Catholic and Anglican Churches, Seventh Day Adventists, Jehovah's Witnesses, leaders of the Muslim community, and small, evangelical Protestant groups, among others, to promote interfaith dialog and discuss religious freedom. In addition Embassy officers regularly met with local and international NGO's involved in peace, justice, and reconciliation efforts that focus on religious tolerance and freedoms.

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## SAO TOME AND PRINCIPE

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 622 square miles, and its population is 138,000. The population is predominantly Roman Catholic. No official statistics are available; however, it is estimated that approximately 80 percent of the population is Catholic, 15 percent is Protestant, 3 percent is Muslim, and 2 percent is atheist. Protestantism has grown considerably in recent years due to the success of Protestant missionaries in the country. Traditional indigenous religions do not exist; some witchcraft is practiced but is not considered to be a religion. Practitioners of witchcraft most often are members of one of the other major religions.

There are Catholic and Protestant missionaries in the country, and missionaries of other religions also operate in the country.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion.

Religious organizations are required to register with the Government; however, there were no reports that any groups were denied registration or that the activities of unregistered groups were restricted.

There are no restrictions on the activities of foreign clergy, and missionaries in the country operate unhindered.

##### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

##### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy, based in Libreville, Gabon, discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. In addition Embassy officials regularly meet with the country's Catholic bishop during visits to the country.

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## SENEGAL

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government maintains relations with all major religious groups in the country and discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 74,132 square miles, and its population is 9,987,494. According to current government demographic data, Islam is the predominant religion, practiced by approximately 94 percent of the country's population. There also is an active Christian community (4 percent), including Roman Catholics and diverse Protestant denominations. An estimated 2 percent, the remainder of the population, practice exclusively traditional indigenous religions or no religion.

The country is ethnically and religiously diverse. Although there is significant integration of all groups, there are identifiable geographic concentrations of some religious groups. The Christian minority is concentrated in the western and southern regions of the country, while groups that practice traditional religions are concentrated in the eastern and southern regions.

A wide variety of foreign missionary groups operate in the country, including Catholics, Protestants, independent missionaries, and Jehovah's Witnesses.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion; the Constitution specifically defines the country as a secular state and provides for the free practice of religious beliefs, provided that public order is maintained.

Religious organizations can receive direct financial and material assistance from the Government. While there is no official system of government grants, the importance of religion in society often results in the Government providing grants to religious groups to maintain their places of worship or undertake special events. The Government also provides funds through the Ministry of Education to schools operated by religious institutions that meet national education standards. In practice Christian schools, which have a long and successful experience in education, receive the largest share of this government funding.

Religious organizations are independent of the Government and, in practice, administer their affairs without government interference. While individuals and groups may practice their beliefs without government sanction, any group—religious or otherwise—that wants to form an association with legal status must register with the Minister of the Interior in accordance with the civil and commercial code. Registration, which generally is granted, enables an association to conduct business, including owning property, establishing a bank account, and receiving financial contributions from any private source. Registered religious groups, including all registered nonprofit organizations, also are exempt from many forms of taxation. The Minister of Interior must have a legal basis for refusing registration. There were no reports that any applications for such registration were delayed or denied during the period covered by this report.

Because the Constitution provides for separation of religion and state, religious education or worship is not permitted in public schools. Privately owned schools, whether or not they receive government grants, may provide religious education. The majority of students attending Christian schools are Muslims.

Missionaries, like other long-term visitors, must obtain a residence visa issued by the Interior Ministry. Religious groups, including Islamic groups, often establish a presence in the country as nongovernmental organizations (NGO's). NGO's previously registered in a foreign country obtain permission to operate in the country from the Minister of the Family, Social Action, and National Solidarity. There were no reports that the Government refused visas or permission to operate to any group. Both religious and nonreligious NGO's are very active in providing social services and administering economic development assistance programs.

The Government encourages and assists Muslim participation in the Hajj every year. It also provides similar assistance for an annual Catholic pilgrimage to the Vatican.

While there is no specific government-sponsored institution to promote interfaith dialog, the Government generally seeks to promote religious harmony by maintaining relations with all important religious groups. Senior government officials regu-

larly consult with religious leaders, and the Government generally is represented at all major religious festivals or events.

*Restrictions on Religious Freedom*

The Government monitors foreign missionary groups and religious and nonreligious NGO's to ensure that their activities coincide with their stated objectives. In the past, the Government expelled groups from the country when their activities were judged to be political in nature and a threat to public order; however, there were no reports that any foreign religious groups were asked to leave the country during the period covered by this report.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

Religion plays an important role in the lives of most citizens, and society generally is very open to and tolerant of different religious faiths. The country has a long tradition of amicable and tolerant coexistence between the Muslim majority and the Christian, traditional indigenous, and other religious minorities. Interfaith marriage is relatively common. Within certain families, other religious faiths, such as Christianity or a traditional indigenous religion, are practiced alongside Islam.

Islamic communities generally are organized around one of several brotherhoods, headed by a Khalif, who is a direct descendant of the group's founder. The two largest and most prominent of these brotherhoods are the Tidjanes, based in the city of Tivouane, and the Mourides, based in the city of Touba. At times there have been disputes within the different brotherhoods over questions of succession or general authority. However, relations between these Islamic subgroups generally have been peaceful and cooperative. In recent years, a National Committee to Coordinate Sightings of the Moon and hence the designation of Muslim holy days has been formed at the suggestion of the Government, effectively increasing cooperation among the Islamic subgroups.

While the brotherhoods are not involved directly in politics or government affairs, these groups exert considerable influence in society and therefore maintain a dialog with political leaders. Close association with a brotherhood, as with any influential community leader, religious or secular, may afford certain political and economic protections and advantages that are not conferred by law. During the legislative election campaign in April 2001, many candidates consulted with and actively sought the support of Islamic brotherhood leaders; however, no significant religious leaders issued instructions to their followers to vote for selected candidates. Among the 25 parties contesting the election, only 3 ran on a religion-based platform. None of these three parties received more than 0.5 percent of the vote or won a National Assembly seat.

Leaders of the larger religious groups, both Islamic and Christian, long have maintained a public dialog with one another. For example, the former Archbishop who led the country's Catholic community and the Khalifs of the larger Islamic brotherhoods have contributed for decades to a positive interfaith dialog. The Catholic-sponsored Brottier Center has promoted debate and dialog between Muslims and Christians on political and social issues that confront the country.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy maintains relations with all major religious groups in the country. The Ambassador meets with the leaders or their representatives at various times throughout the year to discuss social and political issues. The Embassy maintains contacts with several religious-based NGO's, foreign missionary groups operating in the country, and human rights organizations and activists to monitor issues of religious freedom. The Ambassador or his representative regularly attends all major annual religious festivals or gatherings to promote an open dialog with various religious groups.

## SEYCHELLES

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 176 square miles, and its population is approximately 82,070. According to figures gathered in the 1994 census, 88 percent of the population are Roman Catholic and 8 percent are Anglican. There are other Christian churches, including Baptists, Seventh-Day Adventists, the Assembly of God, the Pentecostal Church, the Pentecostal Assembly, the Assemblies of God, the Nazarites, and Jehovah's Witnesses. Hinduism, Islam, and the Baha'i Faith also are practiced. Almost 50 percent of the population are estimated to practice their faith regularly. It is unknown if there are atheists in the country.

A few foreign missionary groups practice in the country, including the Missionaries of Charity, a Roman Catholic organization.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion.

The Roman Catholic, Anglican, and Seventh-Day Adventist churches and the Islamic mosques each have their own acts of incorporation. The Baha'i local spiritual assembly was incorporated in 1999. Other churches that are not a corporate body are registered as associations with the Registrar General and are entitled to tax-free privileges, similar to a charity. All religious organizations must register to be entitled to tax-free privileges. If an organization does not want tax-free privileges, it does not have to register.

The Government tends to remain outside of religious matters, but provides program time to different religious organizations on the national radio broadcasting service. On Sundays a radio broadcast of a Catholic Mass alternates each week with a broadcast of an Anglican service. The Islam and Hindu faiths are allowed 15-minute broadcasts every Friday, and the Baha'i and Seventh-Day Adventists faiths are allowed 15-minute broadcasts every Saturday.

In March 2000, the Government announced that government employees of the Baha'i faith could take paid leave on Baha'i holy days. This leave had not been available previously to members of the Baha'i or other faiths. At the time of the announcement, the Government also stated that other religions could submit applications for the recognition of similar unpaid leave days. In May 2000, the Government announced that government employees of all faiths could request paid leave on any of their holy days, and such leave generally is granted. President France Albert Rene's wife is a member of the Baha'i Faith, while the majority of government ministers are Catholic.

#### *Restrictions on Religious Freedom*

In the past, the Government did not demonstrate favoritism toward one religion over another; however, in early 2000, the Seychelles National Party (SNP), which is the opposition political party and is led by an Anglican minister, claimed that the Government gave a grant of \$164,000 (900,000 Seychelles Rupees) to the Baha'i faith in 1999, following its incorporation. According to the SNP, this grant has not been offered to other faiths that have been established recently in the country. According to the Government, \$192,000 (1 million Seychelles Rupees) of the national budget is allocated to provide assistance to faiths that request it. The grant to the Baha'i faith was for the purpose of building a temple, and in the past, the Anglican, Hindu, and Roman Catholic faiths have benefited from government grants.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**SIERRA LEONE**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 27,653 square miles, and its population is approximately 4.5 million. Reliable data on the exact numbers of those who practice major religions are not available; however, most sources estimate that the population is 60 percent Muslim, 30 percent Christian, and 10 percent practitioners of traditional indigenous religions. There is no information concerning the number of atheists in the country.

Many syncretistic practices reportedly exist, with up to 20 percent of the population practicing a mixture of Islam and traditional indigenous religions or Christianity and traditional indigenous religions.

Historically most Muslims have been concentrated in the northern areas of the country, and Christians were located in the south; however, the civil war has resulted in movement by major segments of the population.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion.

The Government has no requirements for recognizing, registering, or regulating religious groups.

The Government permits religious instruction in public schools. Students are allowed to choose whether to attend Muslim- or Christian-oriented classes.

The Government has not taken any specific steps to promote interfaith understanding.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

During the period covered by this report, the Government reestablished control over the entire country. There were no reports of restrictions on religious freedom in areas that had been controlled by the rebels.

There were no reports of religious prisoners or detainees.

*Abuses of Religious Freedom*

Government policy and practice contributed to the generally free practice of religion. Unlike in previous years, there were no reports that rebel groups operating in the country committed abuses.

Unlike in the period covered by the previous report, there were no reports that rebels abducted church workers or priests. In the past, rebels targeted Roman Catholic priests and nuns, largely on the assumption that the Catholic Church would pay ransom for their return. Some religious leaders were targeted by rebels for their peacekeeping activities as members of civil society, not because of their religion.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom, and interfaith marriage is common. The Inter-Religious Council (IRC), composed of Christian and Muslim leaders, plays a vital role in civil society and actively participates in efforts to further the peace process. The IRC criticized the use of force and atrocities committed by the rebels, endorsed reconciliation and peace talks, and facilitated rehabilitation of the victims affected by the war, including former child soldiers.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy is in frequent contact with the IRC and its individual members.

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**SOMALIA**

There is no constitution and no legal provision for the protection of religious freedom; there were some limits on religious freedom.

There was no change in the status of respect for religious freedom during the period covered by this report.

Non-Sunni Muslims often are viewed with suspicion by members of the Sunni majority.

The U.S. Government does not maintain an official presence in the country. The lack of diplomatic representation has limited the U.S. Government's ability to take action to promote religious freedom.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 246,200 square miles, and its population is approximately 7,253,137. Citizens overwhelmingly are Sunni Muslim. There are a small number of non-Sunni Muslims. There also is a small, extremely low-profile Christian community, in addition to small numbers of adherents of other religions. The number of adherents to strains of conservative Islam is growing. In 2000 the number of Islamic schools funded by religiously conservative sources continued to grow (see Section III).

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

There is no constitution and no legal provision for the protection of religious freedom; there were some limits on religious freedom.

There is no central government. A Transitional National Government (TNG) has been headquartered in Mogadishu since October 2000, but it exercises little effective control over the country. The Transitional Charter, adopted in 2000 but not implemented by the end of the period covered by this report, establishes Islam as the national religion. Some local administrations, including the "Republic of Somaliland" and "Puntland," have made Islam the official religion in their regions. The judiciary in most regions relies on some combination of traditional and customary law (Xeer), Shari'a law, the penal code of the pre-1991 Siad Barre government, or some com-

bination of the three. During the period covered by this report, Islamic courts and militias were absorbed by the TNG and ceased functioning.

In 1999 the Minister of Religion in Somaliland issued a list of instructions and definitions on religious practices. Under the new rules, religious schools and places of worship are required to obtain the Ministry of Religion's permission to operate. The Ministry must approve entry visas for religious groups, and certain unspecified doctrines are prohibited. In Puntland religious schools and places of worship must receive permission from the Ministry of Justice and Religious Affairs to operate.

#### *Restrictions on Religious Freedom*

Local tradition and past law make proselytizing a crime for any religion except Islam. Proselytizing for any religion except Islam is prohibited by law in Puntland and Somaliland and effectively blocked by informal social consensus elsewhere in the country. Christian-based international relief organizations generally operate without interference, provided that they refrain from proselytizing.

#### *Abuses of Religious Freedom*

Article 8 of the Transitional National Charter and Article 6.3 of the Puntland Charter prohibit torture "unless sentenced by Islamic Shari'a Courts in accordance with Islamic Shari'a law." Unlike in the period covered by the previous report, there were no reports that militias administered summary punishment. During the period covered by this report, Islamic courts ceased to operate, and there were no reports of abuses.

Unlike in the period covered by the previous report, there were no reports that persons were detained for proselytizing.

Seven Christian Ethiopians arrested in Somaliland in 1999 for allegedly attempting to proselytize were released in early 2001.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Non-Sunni Muslims often are viewed with suspicion by members of the Sunni majority. There is strong social pressure to respect Islamic traditions, especially in enclaves controlled by radical Islamists, such as El Wak in the Gedo region and Doble, Ras Chaimboni, and Kulbiyow in the Lower Juba region. Organized Islamic groups whose goal is the establishment of an Islamic state include: Al-Islah, which openly operates primarily in Mogadishu; and Al-Ittihaad. During the mid-1990's, Al-Ittihaad was organized and operated training camps; however, while it continued to have adherents throughout the country, it did not have a central structure during the year. During the period covered by this report, the influence of radical Islamic groups dissipated.

The number of externally funded Koranic schools continued to increase throughout the country during the period covered by this report. These schools are inexpensive and provide basic education; however, there were reports that these schools required the veiling of small girls, as well as requiring other conservative Islamic practices not normally found in the local culture. Mogadishu University and many secondary schools in Mogadishu are externally funded and administered through organizations affiliated with the conservative Islamic organization Al-Islah. The number of madrassas, which are private schools providing both religious and secular education, increased during the period covered by this report.

There is a small, low-profile Christian community. Christians, as well as other non-Muslims who proclaim their religion, sometimes face societal harassment.

There are no ecumenical movements or activities to promote greater religious tolerance.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government does not maintain an official presence in the country. This lack of diplomatic representation has limited the U.S. Government's ability to take action to promote religious freedom.

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## SOUTH AFRICA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom. Concerns about the influence of Islam, fueled by reports of violence by the People Against Gangsterism and Drugs (PAGAD), decreased following a crackdown on urban terrorism and trials of numerous suspects.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 470,693 square miles, and its population is approximately 44,600,000. According to the latest available figures on religious demography from the 1996 census, approximately 84 percent of the population belong to the Christian faith. Approximately 3 percent of the population indicated that they belong to other religions, which include Hinduism (1.5 percent), Islam (1.5 percent), Judaism (0.2 percent), Buddhism, Confucianism, and Rastafarianism. Approximately 13 percent indicated that they belong to no particular religion or refused to indicate their affiliation.

The African Independent Churches make up the largest grouping of Christian churches. There are 4,000 or more African Independent Churches, with a total membership of more than 10 million. Although these churches originally were founded as breakaways from various mission churches (the so-called Ethiopian churches), the African Independent Churches consist mostly of Zionist or Apostolic churches and also include some Pentecostal offshoots. The Zion Christian Church is the largest African Independent Church with 10.7 percent of the population, and the Apostolic is the third largest with 9.8 percent of the population. The African Independent Churches attract persons from rural and urban areas.

Established Christian churches include the Dutch Reformed family of churches, including the Nederduits Gereformeerde, Nederduitsch Hervormde, and Gereformeerde Churches, which consist of approximately 9.8 percent of the population; the Roman Catholic Church, which has grown steadily in numbers and influence in recent years and consists of approximately 9.5 percent of the population; the Methodist Church (7.8 percent); the Church of the Province of South Africa (Anglican, 4.4 percent); various Lutheran (2.9 percent) and Presbyterian churches (2.0 percent); and the Congregational Church (1.2 percent). Although they consist of slightly more than 1 percent of the population, the Baptist churches represent a strong church tradition. The largest traditional Pentecostal churches are the Apostolic Faith Mission, the Assemblies of God, and the Full Gospel Church. A number of charismatic churches have been established in recent years. The subsidiary churches of the charismatic churches, together with those of the Hatfield Christian Church in Pretoria, are grouped in the International Fellowship of Christian Churches. The Greek Orthodox and Seventh-Day Adventist Churches also are active.

Approximately 13 percent of the total population claim no affiliation with any formal religious organization. The majority of these persons adhere to traditional indigenous religions. A common feature of the traditional indigenous religions is the importance of ancestors. Ancestors are regarded as part of the community and as indispensable links with the spirit world and the powers that control everyday affairs. Ancestors are not gods, but because they play a key part in bringing about either good or ill fortune, maintaining good relations with them is vital. Followers of traditional indigenous religions also believe that certain practitioners may manipulate the power of the spirits by applying elaborate procedures that are passed down through word-of-mouth. Some practitioners use herbs, others use therapeutic techniques or supernatural powers; some are considered masters of black magic and engender fear. Many persons combine Christian and traditional indigenous religious practices.

An estimated 86 percent of Whites are Christian and almost 1.5 percent are Jewish. Nearly half of Indians are Hindus, and the remainder are either Muslim (23 percent) or Christian (20 percent). The majority of Muslims are Indian or belong to the multi-ethnic community in the Western Cape. More than 90 percent of Blacks are Christians. Almost 84 percent of Coloreds are Christian, while 7 percent are Muslim.

Churches are well attended in both rural and urban areas, and most are staffed adequately by a large number of clerics and officials.

A number of Christian organizations, including the Salvation Army, Promise Keepers, Operation Mobilization, Campus Crusade, and the Church of Jesus Christ of Latter-Day Saints (Mormons), operate in the country doing missionary work, giving aid, and providing training. The Muslim World League also is active in the country, as is the Zionist International Federation.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Bill of Rights prohibits the Government from unfairly discriminating directly or indirectly against anyone on the ground of religion, and it states that persons belonging to a religious community may not be denied the right to practice their religion and to form, join, and maintain religious associations with other members of that community. Cases of discrimination against a person on the grounds of religious freedom may be taken to the Constitutional Court.

Christianity is the dominant religion in the country, but no religion is declared the official state religion by law. The ruling party favors no religion in particular and leading members of the party belong to at least three church groupings (Zionist Christian, Roman Catholic, and Methodist churches), in addition to other non-Christian faiths.

Religious groups are not required to be licensed or registered.

Although the Constitution states that religious instruction at public schools is permitted so long as it is voluntary and religions are treated equally, the Department of Education uses a syllabus that requires public schools to administer one period of religious instruction per week. However, many public schools have dropped religious instruction in practice. In schools that do administer religious instruction, students have the right not to attend, and school authorities respect this right in practice. Although a new syllabus has been drafted and approved that does not require religious instruction in public schools, implementation of the new syllabus is not planned until 2004. There are some private religious schools in which religious instruction is required.

Only Christian religious holidays, such as Christmas and Good Friday, are recognized as public holidays; however, members of other religious groups are allowed to commemorate their particular religious holidays without government interference.

### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

In November 2000, a candidate attorney requested the Constitutional Court to rule that adult Rastafari should be exempted from the application of statutory provisions that make the possession and use of cannabis illegal and subject to a fine or imprisonment, because the use of cannabis is considered to be part of the practice of Rastafarianism. The candidate attorney was refused admission as an attorney in 1997 on the grounds of convictions for possession and use of cannabis, which is an offense in the country. On January 25, 2002, the Constitutional Court upheld a lower court's rulings against the candidate attorney, arguing that the legalization of cannabis use under certain restrictions to Rastafarians would make law enforcement difficult.

Unlike in the period covered by the previous report, there were no reports that students were suspended for wearing dreadlocks. In February 2001, nine pupils were suspended from their high school for wearing dreadlocks. The students claimed that they subscribed to Rastafarianism as a religion, which they claimed requires that adherents grow their hair. The Department of Education allowed the children back into the school and stated that the Department would allow pupils wearing dreadlocks to attend school, if they were members of the Rastafarian religion.

PAGAD is an Islamic-oriented organization that portrays itself as a community organization opposed to crime, gangsterism, and drugs; however, it is known for its violent vigilantism (see Section III). Although members of the group complained that they were the targets of police brutality, in part due to their religious beliefs, there was no indication that police targeted PAGAD members for investigation because of their religious affiliation.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations between the various religious communities generally are amicable. There was no change in the status of respect for religious freedom during the period covered by this report. Concerns about the influence of Islam, fueled by reports of violence by PAGAD, decreased following a crackdown on urban terrorism and trials of numerous suspects.

There are many official and unofficial bilateral and multilateral ecumenical contacts between the various churches. The largest of these is the South African Council of Churches (SACC), which represents the Methodist Church, the Church of the Province of South Africa (Anglican), various Lutheran and Presbyterian churches, and the Congregational Church, among others. The major traditional indigenous religions, most of the Afrikaans-language churches, and the Pentecostal and charismatic churches are not members of the SACC and usually have their own coordinating and liaison bodies. The Roman Catholic Church's relationship with other churches is becoming more open, and it works closely with other churches on the sociopolitical front.

The Muslim community has protested the infrequent availability of bail and staged periodic small-scale protests, criticizing the treatment as unfair compared with the judicial treatment of non-Muslims.

Urban terrorism decreased significantly in the Western Cape during the period covered by this report. The activities of PAGAD have been curtailed severely by a successful law enforcement and prosecutorial effort against leading members of the organization for crimes linked to urban bombings and murder (See Section II). There were several ongoing trials of PAGAD members for charges related to urban terrorism. There have been no incidents of urban terror since late 2000.

In September 2001, three of four suspects were acquitted of bombing a synagogue in Wynberg in December 1998.

In March 2001, three persons were sentenced to between 10 and 13 years in prison for committing a series of bombings, including of a mosque in Rustenberg, in January 1997. They appealed the sentences, but the appeal was not heard by the end of the period covered by this report.

There were unconfirmed reports of killings linked to the continued targeting of alleged practitioners of witchcraft during this reporting period. In the Northern Province, where traditional beliefs regarding witchcraft remain strong, officials have reported dozens of killings of persons suspected of witchcraft over the past 5 years. The Government has instituted educational programs to prevent such actions. In September 2001, four women and one man were sentenced to life imprisonment for the murder of a 74-year-old man whom they accused of witchcraft.

There also were reports of killings linked to the practice of Satanism. The Government does not keep records on cases of reported witchcraft and Satanism killings. These cases are investigated and prosecuted as homicide by law enforcement officials.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. During the period covered by this report, the Public Affairs Section of the Embassy held several digital video conferences that included American Islamic leaders in order to open a dialog between Americans and South Africans on Islam in both countries. Representatives of the U.S. Embassy have frequent contact with leaders and members of all religious communities in the country.

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**SUDAN**

The Constitution provides for freedom of religion; however, the Government severely restricted this right in practice. The Government treats Islam as the state religion and has declared that it must inspire the country's laws, institutions, and policies.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government continued to enforce numerous restrictions.

There were strained and distant relations between the various religious communities.

The U.S. Government's efforts to promote religious freedom and human rights in the country were limited by the nonresident status of U.S. diplomats during most of the period covered by this report. The Embassy's American staff was evacuated to Nairobi, Kenya, in 1998; nonresident American diplomats resumed visits to Khartoum in 2000, and a few permanent staff returned in 2002. The U.S. Government has made it clear to the Government that the problem of religious freedom is one of the key impediments to an improvement in the relationship between the two countries. High-level U.S. officials and U.S. Missions to international forums have raised consistently the issue of religious freedom with both the Government and the populace. In 1999, 2000, and 2001, the Secretary of State designated Sudan a country of particular concern under the International Religious Freedom Act for particularly severe violations of religious freedom.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 1,556,108 square miles, and its population is an estimated 35 million. The country is religiously mixed, although Muslims have dominated national government institutions since independence. There are no accurate figures on the sizes of the country's religious populations because of poor census data, as a result of 2 decades of war. According to most estimates, between 65 and 75 percent of the population is Muslim, and adherents include numerous Arabic and non-Arabic groups. Muslims predominate in the north, but there are sizable Christian communities in northern cities, principally in areas where there are large numbers of internally displaced persons (IDP's). There are between 1 and 2 million southerners in the north. Many of these persons—who are southerners escaping the war—are practitioners of traditional indigenous religions. Most citizens in the south adhere to either Christianity or traditional indigenous religions; however, there are some Muslim adherents as well, particularly along the historical dividing line between Arabs and Nilotic ethnic groups. There are reports that Christianity is growing rapidly in the south, particularly in areas outside of government control. There also is evidence that many new converts to Christianity continue to adhere to elements of traditional indigenous practices. There also are small but influential and long established populations of Greek Orthodox and Coptic Rite Christians centered around Khartoum and other northern cities. As many as 300,000 Coptic Christians live in the north.

The Muslim population is almost entirely Sunni but is divided into many different groups. The most significant divisions occur along the lines of the Sufi brotherhood. Two popular brotherhoods, the Ansar and the Khatimia, are associated closely with the Umma Party and the Democratic Unionist Party (DUP), respectively.

The country's religious conflict is aggravated by the perception of southerners that they are "second-class" citizens because Northern Muslims, most of whom are native Arabic speakers, have dominated political and economic structures since independence in 1956. Southerners (largely followers of traditional indigenous religions or Christians and largely of African origin) began fighting to protest religious, political, and economic discrimination before independence; the southern ethnic groups fighting the civil war seek independence, autonomy, or some other form of regional self-determination from the north.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion; however, the Government severely restricted this right in practice. The Government treats Islam as the state religion and has declared that it must inspire the country's laws, institutions, and policies. The Constitution states that "Shari'a and custom are the sources of legislation."

Religious organizations and churches are subject to the same restrictions placed on nonreligious corporations. Religious groups, like all other organizations, must be registered in order to be recognized or to gather legally. Registration reportedly is very difficult to obtain in practice, and the Government does not treat all groups equally in the approval of such registrations and licenses, particularly evangelical Christian groups. Registered religious groups are exempt from most taxes. Nonregistered religious groups find it impossible to construct a place of worship or to as-

semble legally without the fear of interference. Applications to build Islamic mosques generally are granted in practice; however, the process for applications for non-Muslim churches is more difficult. The Government did not authorize the construction of any churches in the Khartoum area or in the district capitals; the Government often claimed that local Islamic community objections restricted the issuance of permits. No further information was available on the status of draft legislation to replace the existing law at the end of the period covered by this report.

#### *Restrictions on Religious Freedom*

Authorities continued to restrict the activities of Christians, followers of traditional indigenous beliefs, and other non-Muslims. The Government restricts at least one Islamic group; however, the group conducts terrorist acts against other Muslims. While non-Muslims may convert to Islam, the law makes apostasy (which includes conversion from Islam to another religion) punishable by death.

Although the Government considers itself an Islamic government, it monitors some religious and quasi-religious Islamic groups, particularly religious groups that oppose the Government through political platforms or violence against government-affiliated mosques.

Muslims may proselytize freely in government-controlled areas, but non-Muslims are forbidden to proselytize. The Government generally is less restrictive of Christian groups that historically have had a presence in the country, such as Copts and Greek Orthodox, and is more restrictive of newer arrivals.

Missionaries continued to operate, running food relief operations, medical clinics, and churches in the south. Some also operate in government-controlled areas. However, authorities sometimes harassed missionaries and other religiously oriented organizations and delayed their requests for work permits and residence visas. For example, in 2002 Catholic priests in northern areas of the country continued to have problems attaining visas and occasionally were subject to interrogations by internal security agents.

Religious minority rights are not protected, and Islam is the state religion, which confers second class citizenship status on non-Muslim adherents. In government-controlled areas of the south, there continued to be credible evidence of favoritism towards Muslims and an unwritten policy of Islamization of public institutions, despite an official policy of local autonomy and federalism. Some non-Muslims lost their jobs in the civil service, the judiciary, and other professions; however, such occurrences were less frequent than in previous years. Few non-Muslim university graduates found government jobs. Some non-Muslim businessmen complained of petty harassment and discrimination in the awarding of government contracts and trade licenses. There also were reports that Muslims received preferential treatment for the limited services provided by the Government, including access to medical care.

There were continued reports that Christian secondary school students in Khartoum were not allowed to continue their compulsory military service because they attended church. Students who do not complete military service are not permitted to enter the University.

The Government requires instruction in Islam in public schools in the north. In public schools in areas where Muslims are not a majority, students have a choice of studying Islam or Christianity. However, Christian courses are not offered in the majority of public schools, ostensibly due to a lack of teachers or Christian students; in practice this means that many Christian students attend Islamic courses.

Sunday is not recognized as the Sabbath for Christians. Employers sometimes prevent Christians in the north from leaving work to worship. Christian students also have been forced to take school exams on Sundays.

While the Government permits non-Muslims to participate in services in existing, authorized places of worship, the Government continued to deny permission for the construction of any Roman Catholic churches, although some other Christian groups have received permission. However, the Government permitted some makeshift structures to be used for Roman Catholic services.

During the period covered by this report, no information was available on the status of negotiations to resolve a 1999 property dispute between the Episcopal Church and the Government.

In past years, the Khartoum State government razed some religious buildings and thousands of squatter dwellings around Khartoum, which largely were populated by displaced southerners, including large numbers of practitioners of traditional indigenous religions and Christians; however, this practice has ceased. Earlier improvements in procedures to grant squatters legal title to land in other areas and to move squatters in advance of demolitions continued.

Islamic family law applies to Muslims and not to those of other faiths, for whom religious or tribal laws apply. Certain Islamic law provisions as interpreted and applied by the Government, and many traditional practices as well, discriminate against women. In accordance with Islamic law, a Muslim woman has the right to hold and dispose of her own property without interference, and women are ensured inheritance from their parents. However, a daughter inherits half the share of a son, and a widow inherits a smaller percentage than do her children. It is much easier for men to initiate legal divorce proceedings than for women. Although a Muslim man may marry a non-Muslim, a Muslim woman cannot marry a non-Muslim unless he converts to Islam; however, this prohibition is not observed or enforced in areas of the south not controlled by the Government, nor among Nubans.

Various government bodies have decreed on different occasions that women must dress modestly according to Islamic standards, including wearing a head covering. In 1999 the governor of Khartoum State announced that women in public places and government offices, and female students and teachers would be required to conform to what is considered an Islamic dress code. However, none of these decrees have been the subject of legislation. There was minimal enforcement of the dress code during the period covered by this report. Women often were seen in public wearing trousers or with their heads uncovered. Public Order Police generally only issued warnings for improper dress. In 2000 the governor of Khartoum State issued a decree forbidding women from working in businesses that serve the public, such as hotels, restaurants, and gas stations. He defended the ban as necessary under Shari'a (Islamic law) to protect the dignity of women. The issue was not brought before the courts, nor was the decree reversed. It no longer was a subject of public discussion, and the authorities did not enforce it; however, some employers removed women from their positions on this basis.

Children who have been abandoned or whose parentage is unknown, regardless of presumed religious origin, are considered by the State to be both citizens and Muslims and can be adopted only by Muslims. Non-Muslims may adopt only non-Muslim children. No equivalent restriction is placed on the adoption by Muslims of orphans or other children. In accordance with Islamic law, children adopted by Muslims do not take the name of their adopted parents and are not automatic heirs to their property.

In rebel-controlled areas, Christians, Muslims, and followers of traditional indigenous beliefs generally worship freely; however, in recent years, southern soldiers have damaged a few mosques after taking over government garrison towns. The rebel Sudan People's Liberation Movement (SPLM) would prefer a secular government but is willing to allow Shari'a law to exist in northern states. Christians dominate the movement, and local SPLM authorities often have a very close relationship with local Christian religious authorities. There is no evidence that this close relationship has resulted in a failure to respect the rights of practitioners of other religions.

#### *Abuses of Religious Freedom*

There were a few reports that security forces regularly harassed and at times used threats and violence against persons because of their religious beliefs and activities; however, such reports continued to decrease during the period covered by this report.

In June 2001, Aladin Omer Agabani Mohammed, a Khartoum resident, was arrested for converting from Islam to Christianity and detained incommunicado for 3 months; he reportedly was tortured. In September 2001, he was released on medical grounds, but was required to report daily to the security forces. In January and February 2002, security police again harassed Aladin, put him under surveillance, and refused his requests to travel because he had converted to Christianity. On January 30, 2002, airport authorities refused to allow Aladin to board a plane to Uganda to study at St. Paul Theology Seminary even though he had received his visas and military exemption; the authorities reportedly told him that he was an apostate abandoning Islam.

Unlike in the period covered by the previous report, there were no reports that authorities interfered with Easter services or that clashes broke out.

The Government officially exempts the 10 southern states, in which the population is mostly non-Muslim, from parts of the law, which permits physical punishments, including lashings, amputations, and stonings, based on Shari'a law. There were reports that six cross amputations (right hand and left foot) were carried out in 2001. The Government also reportedly carried out eight amputations as punishment for violent crimes that resulted in death. All those sentenced to amputations reportedly were Muslims. However, in 2002 the Government amputated the right hand of a southern Christian for stealing spare auto parts. In February 2002, Abok

Alfa Akok, an 18-year-old southern Christian woman, was sentenced to death by stoning for having an extramarital affair and becoming pregnant. The Vatican interceded, and her sentence was commuted to 75 lashes; she was flogged following the birth of her child. There were no reports of court-ordered Islamic law punishments, other than lashings, in government-controlled areas of the south. The law legally can be applied in the south, if the state assemblies approve it. Fear of the imposition of Islamic law is one of the factors that has fueled support for the civil war among opposition forces in the south.

Unlike in the period covered by the previous report, there were no reports that Christian students were abused physically during training at police units.

In 2002 internal security agents occasionally interrogated Catholic priests in northern areas of the country; in 2001 internal security agents detained and physically abused a Catholic priest.

Security forces detained persons because of their religious beliefs and activities; however, such detentions on religious grounds occurred less frequently than in previous years. Generally detentions based nominally on religion were of limited duration; because the practice of religion is not technically illegal, detainees could not be held formally on religious grounds indefinitely.

In past years, Human Rights Watch reported that Islamic student militias operating under the protection of security forces abducted and tortured a number of student activists. Islamic students also have harassed, beat, and otherwise abused non-Sudanese African students; part of the motivation for such acts appeared to be religious.

Since the civil war resumed in 1983, an estimated 2 million persons have been killed in the violence or have died from the effects of the drought; approximately 4 million have been displaced internally as a result of fighting between the Government and insurgents in the south. In 2002 a ceasefire was negotiated and implemented in the Nuba Mountains; however, the civil war continued elsewhere during the period covered by this report, and all sides involved in the fighting were responsible for abuses in violation of humanitarian norms. Government and government-supported forces in particular were responsible for the majority of the killings, abductions, rapes, and arbitrary arrests and detentions of civilians, and for the burning and looting of villages. There is a religious aspect to the civil war: the Government is dominated by northern Muslims, while the southern ethnic groups fighting the civil war largely are followers of traditional indigenous religions or Christians. The Government has declared a "jihad" (Muslim holy war) against the southern rebels. The Government continued to insist that Shari'a law form the basis of a unified state while southerners insist on a secular state.

As part of the civil war, the Government continued to use high altitude bombings in southern areas, although the number of attacks decreased between 2000 and 2002. Air assaults were reported in the Equatoria, Western Upper Nile, Southern Blue Nile, and Bahr al Ghazal states. The bombings hit schools, medical facilities, markets, and civilian buildings in these areas inhabited primarily by Christians and practitioners of traditional African religions. For example, in June 2002, the diocesan compound and home of the auxiliary Catholic Bishop of Torit was bombed.

The forced abduction of women and children and the taking of slaves, particularly in war zones, and their transport to parts of central and northern Sudan, continued. Most raids continued to be in northern Bahr al Ghazal. Between February and May 2002, an International Eminent Persons Group was convened to investigate slavery, abductions, and forced servitude in the country; the group was composed of representatives from the United States, United Kingdom, Norway, France, Canada, and Italy. Members of the group traveled within the country and the region in February, March, and April 2002. In their May 2002 report, they stated that indigenous militia as well as Rizegat and Bagarra tribesmen, armed and supported by the Government, raid villages in the Bahr al Ghazal region, in order to loot property and livestock. The target of these raids often included the taking of women and children as slaves. The victims in the villages largely were Christians or practitioners of traditional indigenous religions. Based on their investigation, the Group reported that both forced and voluntary conversion to Islam of those abducted commonly occurred. It was unknown how many raids occurred or how many persons were abducted during the period covered by this report.

Unlike in the period covered by the previous report, there were no reports that religious workers were abducted.

#### *Forced Religious Conversion*

Some children from Christian and other non-Muslim families, captured and sold into slavery, were converted forcibly to Islam.

Popular Defense Forces (PDF) trainees, including non-Muslims, were indoctrinated in the Islamic faith. In prisons and juvenile detention facilities, government officials and government-supported Islamic non-governmental organizations (NGO's) pressured and offered inducements to non-Muslim inmates to convert. Some persons in the government-controlled camps for IDP's reported that they were subject to forced labor and at times pressured to convert to Islam. Children, including non-Muslim children, in camps for vagrant minors were required to study the Koran, and there was pressure on non-Muslims to convert to Islam. There were credible reports that some boys in vagrant camps and juvenile homes have undergone forced circumcision.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

There were strained and distant relations between the various religious communities.

There are reports that Islamic NGO's in war zones withhold other services, such as medical and food aid, from the needy unless they convert to Islam. There also were reports that Christian NGO's used their services to pressure persons to convert to Christianity.

Leaders of religious communities occasionally meet informally to discuss community relations. However, there continued to be limited interaction between Muslim and Christian clerics.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government and the U.S. Embassy continued to make efforts to encourage respect for religious freedom. A few permanent American diplomatic staff returned in 2002. The U.S. Government has made it clear to the Government that the problem of religious freedom is one of the key impediments to developing a more positive relationship between the country and the United States. The Embassy consistently raised the issue at all levels of government, including with the President and the Foreign Minister.

The Embassy and the Department of State forcefully raised religious freedom issues publicly in press statements and at international forums, including the U.N. Human Rights Commission. The Special Envoy for Peace in Sudan, John Danforth, an Episcopal priest, met with religious leaders during his visits to the country and pressed for religious freedom. In 2002 the U.S. Government also led an International Eminent Persons Group to investigate slavery, abductions, and forced servitude in the country (see Section II).

In 1999, 2000, and in 2001, the Secretary of State designated Sudan a country of particular concern under the International Religious Freedom Act for particularly severe violations of religious freedom.

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## SWAZILAND

There are no formal constitutional provisions for freedom of religion; however, the Government generally respects freedom of religion in practice. Unlike in the period covered by the previous report, there were no reports that authorities disrupted or canceled prayer meetings.

There was no change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 6,700 square miles, and its population is approximately 1,100,000. Christianity is the dominant religion. Zionism is a blend of Christianity and indigenous ancestral worship and is the predominant religion in rural areas. A large Roman Catholic presence, including churches, schools, and other infrastructure, continues to flourish. It is estimated that the population is 40 percent Zionist, 20 percent Roman Catholic, and 10 percent Islamic,

with the remaining 30 percent divided between Anglican, Methodist, Baha'i, the Church of Jesus Christ of Latter-Day Saints (Mormons), Jewish, and other beliefs. Followers of Islam and the Baha'i Faith generally are located in urban areas. There are few atheists in the country.

Missionaries inspired much of the country's early development and still play a role in rural development. Missionaries mostly are western Christians, including Baptists, Mormons, evangelicals, and other Christians. Baha'is are one of the most active non-Christian groups in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

There are no formal constitutional provisions for freedom of religion; however, the Government generally respects freedom of religion in practice, and unlike in the period covered by the previous report, there were no reports that authorities disrupted or canceled prayer meetings.

New religious groups or churches are expected to register with the Government upon organizing in the country. In order to be considered organized, a religious group or church must demonstrate either possession of substantial cash reserves or financial support from outside religious groups with established ties to western or eastern religions. For indigenous religious groups or churches, authorities consider demonstration of a proper building, a pastor or religious leader, and a congregation as sufficient to grant organized status. However, there is no law describing the organizational requirements of a religious group or church. While organized churches are exempt from paying taxes, they are not considered tax-deductible charities. All religions are recognized unofficially.

Portions of the capital city are zoned specifically for church buildings of all denominations. Government permission is required for the construction of new religious buildings in urban areas, and permission is required from chiefs in rural areas. Those religious groups that wish to construct new buildings may purchase a plot of land and apply for the required building permits. The Government has not restricted any religion with financial means from building a place of worship; however, non-Christian groups sometimes experience minor delays in obtaining permits from the Government to build residences for clergy.

While the Government primarily observes Christian holidays, the monarchy (and by extension the Government) supports many religious activities in addition to Easter and Christmas. For example, the royal family occasionally attends evangelical programs.

The Government neither restricts nor formally promotes interfaith dialog, and it does not provide formal mechanisms for religions to reconcile differences. Churches have access to the courts as private entities.

### *Restrictions on Religious Freedom*

Followers of all religious faiths generally are free to worship without government interference or restriction. Unlike in the period covered by the previous report, there were no reports that authorities disrupted or canceled prayer meetings. However, the government-owned television and radio stations do not permit non-Christian religions to broadcast messages.

A dispute regarding the High Court reinstatement of six children who had been expelled from a primary school for not obeying school rules and regulations because of their beliefs as Jehovah's Witnesses was pending at the end of the period covered by this report.

Non-Christian groups sometimes experience minor delays in obtaining residence and building permits from the Government.

There were no reports of religious prisoners or detainees.

### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Religious diversity is respected. Five different denominations maintain adjoining properties peacefully. There was no public conflict among faiths during the period covered by this report.

The Christian churches are well organized and are divided into three groups: The Council of Churches; the League of Churches; and the Conference of Churches. Each of the groups is open to members of all denominations; however, in practice Zionists

and all African traditional churches belong to the League of Churches, most Evangelical churches associate with the Conference of Churches, and Anglican, Roman Catholic, United Christian, Mennonite, Episcopal, and Methodist churches generally belong to the Council of Churches. They primarily engage in producing common statements on political issues and sharing radio production facilities, or engage in common rural development and missionary strategies. Each organization has strong public opinions, which sometimes differ from one another; however, on several occasions, they have come together to address common issues, such as a constitutional amendment allowing for freedom of religion.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy maintains contact and good relations with the various religious organizations.

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### TANZANIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice, subject to measures that it claims are necessary to ensure public order and safety; however, there were a few limits on this right.

There was no change in the status of respect for religious freedom during the period covered by this report. Some urban Muslim groups are sensitive to perceived discrimination in government hiring and law enforcement practices. Muslims continued to perceive government discrimination in favor of Christians in schools, the workplace, and places of worship.

There are generally amicable relations among religions in society; however, there was an increase in tension between Muslims and Christians and between secular and fundamentalist Muslims.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 364,900 square miles, and its population is approximately 35 million. Religious leaders and sociologists generally believe that the country's population is 30 to 40 percent Christian, 30 to 40 percent Muslim, and that the remainder consists of practitioners of other faiths, traditional indigenous religions, and atheists. Zanzibar, which accounts for 2.5 percent of the country's population, is 98 percent Muslim. Current statistics on religious demography are unavailable; religious surveys were eliminated from all government census reports after 1967. The Christian population is comprised of Roman Catholics, Protestants, Pentecostals, Seventh-Day Adventists, the Church of Jesus Christ of Latter-Day Saints (Mormons), and Jehovah's Witnesses. Between 80 to 90 percent of the Muslim population is Sunni; the remainder consists of several Shi'a groups.

Foreign missionaries operate in the country, including Catholic, Lutheran, Baptist, Seventh-Day Adventist, Mormon, Anglican, and Muslim.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice, subject to measures that it claims are necessary to ensure public order and safety; however, there were a few limits on this right.

In October 2001, the Zanzibar Government passed a bill to establish an Islamic leader (mufti) office on the island, similar to an office on the mainland. Government officials claimed that a mufti office was needed to coordinate Islamic activities and improve religious understanding; however, several Muslim organizations criticized the proposal as an effort by the union Government to institutionalize government oversight of Islamic organizations.

The Government requires that religious organizations register with the Registrar of Societies at the Home Affairs Ministry. In order to register, religious organizations must have at least 10 followers and must provide a constitution, the resumes of their leaders, and a letter of recommendation from their district commissioner. Groups no longer are required to provide three letters of recommendation from the leaders of registered Christian churches or from registered mosques; however, some Muslim groups claim that they still are required to submit a letter of recommenda-

tion from BAKWATA, the National Muslim Council of Tanzania. There were no reports that the Government refused the registration of any group.

Prior to 2000, religious groups were exempt from paying taxes because they were presumed to be nonprofit organizations. The Government discovered in 1998 that some religious groups were importing goods duty-free and then selling them for a profit and began requiring these groups to pay taxes. After successfully identifying these organizations, the Government allowed legitimate religious groups to order goods internationally without paying duty, provided that they receive an exemption certificate from the Tanzania Revenue Authority.

Customary or statutory law in both civil and criminal matters governs Christians. Islamic law is applicable only for civil matters in Zanzibar; it is not applicable for Muslims on the mainland. Zanzibar's court system generally parallels the mainland's legal system but retains Islamic courts to adjudicate cases of Muslim family law, such as marriage, divorce, child custody, and inheritance; however, Muslims may choose to apply civil law in these matters instead of Islamic law. Islamic courts only adjudicate cases involving Muslims.

Missionaries are permitted to enter the country freely, particularly if proselytizing is ancillary to other religious activities. Citizens are permitted to leave the country for pilgrimages and other religious practices.

In 1998 the Government dissolved its national and regional parole boards after complaints that they did not include Muslim members, even though the majority of the prison population is Muslim. The boards were reconstituted in February 1999 with a more religiously diverse membership. During the period covered by this report, the Government's investigation determined that the allegations that the National Muslim Council was receiving money from outside of the country were unfounded.

#### *Restrictions on Religious Freedom*

The law prohibits preaching or distribution of materials that are considered inflammatory and represent a threat to the public order. In 2000 the Government banned the publication and distribution of a book by a Muslim academic on the grounds that it was inflammatory. The book, titled "The Mwembechai Killings," described Muslim grievances against the Government and provided the author's version of events surrounding the killings of three Muslim protesters in 1998 in the Mwembechai area of Dar es Salaam. Unlike in the period covered by the previous report, urban Muslims did not distribute videotapes of the Mwembechai riots to document perceived human rights abuses; the Government previously had outlawed these videotapes for being incendiary.

The Government has banned religious organizations from involvement in politics, and politicians are banned from using language intended to incite one religious group against another or to encourage religious groups to vote for certain political parties. The law imposes fines and jail time on political parties that campaign in houses of worship or educational facilities.

The Government does not designate religion on any passports or records of vital statistics; however, it requires an individual's religion to be stated on police reports, school registration forms, and applications for medical care.

Government policy forbids discrimination against any individual on the basis of religious beliefs or practices; however, individual government officials are alleged to favor persons who share the same religion in the conduct of business. The Muslim community claims to be disadvantaged in terms of its representation in the civil service, government, and parastatal institutions, in part because both colonial and early post-independence administrations refused to recognize the credentials of traditional Muslim schools. As a result, there is broad Muslim resentment of certain advantages that Christians are perceived to enjoy in employment and educational opportunities. Muslim leaders have complained that the number of Muslim students invited to enroll in government-run schools still was not equal to the number of Christians. In turn Christians criticize what they perceive as lingering effects of undue favoritism accorded to Muslims in appointments, jobs, and scholarships by former President Ali Hassan Mwinyi, a Muslim. Christian leaders agree that the Muslim student population in institutions of higher learning is disproportionately low; however, they blame this condition on historical circumstances and low school attendance rates by Muslims rather than discrimination.

The Government failed to respond to growing tensions between the Muslim and Christian communities (see Section III). The Government recognized that a problem exists, but it chose not to take action. The Government canceled several meetings with Muslim and Christian leaders aimed at improving relations between the two communities. Even senior Muslim officials in the Government appear unwilling to address the problem, apart from general criticism of those who would foment reli-

gious conflict. In 1999 President Mkapa met with leaders of the Muslim community at a Dar es Salaam mosque to listen to their grievances and propose solutions; however, urban Muslim leaders claim that no action has been taken to address their concerns.

The overall situation for women is less favorable in Zanzibar, which has a majority Muslim population, than on the mainland. Although women generally are not discouraged from seeking employment outside the home, women of Zanzibar, and on many parts of the mainland, face discriminatory restrictions on inheritance and ownership of property because of concessions by the Government and courts to customary and Islamic law. While provisions of the Marriage Act provide for certain inheritance and property rights for women, the application of customary, Islamic, or statutory law depends on the lifestyle and stated intentions of the male head of household. The courts have upheld discriminatory inheritance claims, primarily in rural areas. Under Zanzibari law, unmarried women under the age of 21 who become pregnant are subject to 2 years' imprisonment.

#### *Abuses of Religious Freedom*

In July 2001, a local magistrate in Morogoro sentenced Kahmis Rajab Dibagula to an 18-month jail term for blasphemy against Christianity for publicly stating "Yesu si Mungu" (Jesus is not God). In August 2001, police banned Muslim protests scheduled for August 23 in Dar es Salaam on public safety grounds. Despite the Inspector General's refusal to grant a permit for the rally, in August 2001, Muslim youths marched to the Attorney General's office while High Court Justice Chipeta heard the Dibagula case. While Chipeta agreed to overturn the sentence and ordered the release of Dibagula, the High Court widely was criticized in the Muslim community for only overturning the conviction rather than stating that the blasphemy charge was unconstitutional and discriminatory towards Muslims. More than 170 Muslims were arrested, and cases remained pending against 41 persons, with no trial date set by the end of the period covered by this report.

In December 2001, police on Zanzibar arrested more than 20 leaders of the Muslim Answar Sunna group for conducting Eid el Fitr prayers on a day other than the one designated by the Government of Zanzibar.

On February 13, 2002, violence began after police intervened and fired tear gas at a Muslim prayer meeting to commemorate the 1998 Mwembechai mosque riots; two persons, including a police officer, were killed. The organizers of the banned prayer meeting claimed the protest event had been peaceful until the police intervened; the police claimed that they used tear gas in order to disperse demonstrations and prevent a clash between rival Muslim groups. The Government subsequently convinced Muslim groups to cancel a series of demonstrations planned for March 29, 2002, to protest the February events. Following the violence, the police arrested nine Muslim leaders, who remained in prison at the end of the period covered by this report; their hearing date was scheduled for August 2002. They were denied bail while a government investigation into the incident was ongoing. Other Muslim leaders went into hiding and were not caught by the end of the period covered by this report.

In 1999 police arrested Sheikh Issa Ponda, a popular Muslim leader, for inciting his followers against other religions. A week later, the police canceled a planned Muslim demonstration to protest his arrest. The Sheikh later was charged with seditious intent and released on bail; however, in February 2002, he was rearrested and charged with murder as one of the nine Muslim leaders held responsible for the Mwembechai mosque riots. Ponda was denied bail and remained in prison at the end of the period covered by this report.

Prior to the 2000 elections, government officials called on political candidates to avoid using religion as a campaign issue and urged the public to reject religiously oriented campaigns. In 2001 a demonstration on Pemba, which is 98 percent Muslim, turned violent and led to the deaths of at least 23 protestors, and also sparked an outburst of religious enmity. Police killed two persons, including one imam. There were reports that police officers and soldiers made anti-Muslim slurs against persons during house-to-house searches. In January 2001, in Wete, police turned away persons who were going to mosques to pray; police reportedly beat those who resisted the order. Following the demonstration, there were reports of isolated cases of harassment of individuals who were perceived as supporters of radical Islam, including the alleged forcible shaving of beards of certain Muslims who had been detained.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

While Muslim-Christian relations remained generally stable, tensions rose due to urban Muslim groups' claims of discrimination in government hiring and law enforcement practices (see Section II). Rural Muslim groups do not appear to share urban Muslims' concerns to the same extent. There also were other signs of increased religious tensions between Christians and Muslims.

There were signs of increasing tension between secular and fundamentalist Muslims, as the latter feel that the former have joined with the Government for monetary and other benefits. The fundamentalist Muslims accuse the Government of being a Christian institution, and Muslims in power as being interested only in safeguarding their positions. There were increased tensions within the Muslim community between moderates and fundamentalists seeking ideological control of mosques in Dar es Salaam and other cities. Fundamentalist Muslims severely criticized secular Muslims who drink alcohol or marry Christian women. Muslim fundamentalists attempted, unsuccessfully, to introduce Muslim traditional dress into the national school system. Fundamentalist groups also have exhorted their followers to vote only for Muslim candidates.

During the period covered by this report, Muslim fundamentalist organizations engaged in increasingly confrontational proselytizing in Zanzibar, Morogoro, and Dar es Salaam. Anti-Christian slogans became more prevalent in newspapers and pamphlets, and on clothing. Muslims threatened tourist establishments in Zanzibar, warning proprietors who cater to Western customers that they risked retribution for serving alcohol or engaging in other perceived vices. In Zanzibar there were gasoline bomb attacks against bars and hotels, and on the mainland, Christian fundamentalist organizations also reportedly engaged in confrontational proselytizing, including the distribution of leaflets branding Muslims as "unbelievers" or "servants of Satan."

In 2000 a University of Dar es Salaam organization conducted a study of the possible role of religion in impeding the country's future development as a multiparty democracy. The organization, Research, Education and Democracy in Tanzania (REDET), which consists of a number of academics—Muslim and Christian—surveyed the public's views of religion as a potential societal faultline. The results of the study, which was not published by the end of the period covered by this report, were discussed publicly at a symposium held by REDET in December 2001. The study concluded that Muslims as a group were underrepresented in educational, governmental, and private sector institutions. The study was inconclusive on the cause of such underrepresentation; some scholars blamed outright discrimination by the Government and school administrators, while others blamed post-colonial historical circumstances, such as the legacy of Christian missionary control of private schools.

An interdenominational religious council periodically meets to discuss issues of mutual concern, such as the recent violence in Zanzibar. The council is comprised of Catholic, Protestant, and Muslim representatives. The Muslim representative belongs to the BAKWATA; several urban Muslim leaders and a majority of urban Muslims believe that the BAKWATA is a government-imposed watchdog organization.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Government encouraged continued economic reform as a means to alleviate poverty, which has been identified as a contributing factor in the growth of religious intolerance. The U.S. Government and the U.S. Embassy also encouraged democratic reform in the country, particularly in Zanzibar, which is 98 percent Muslim. In 2001 the Embassy sponsored a series of lectures and town hall meetings in Zanzibar that encouraged discussion of tolerance and the role of religion in a democratic society. The U.S. Government also supported the country's initiative to implement the 2001 reconciliation agreement between the CCM, the country's ruling party, and the CUF, the main opposition party on Zanzibar, to reduce the conflict between the parties that frequently erupted into violence with religious overtones.

## TOGO

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 21,006 square miles, and its population is 4,629,000. According to statistics published by the Ministry of Tourism, the population is approximately 22 percent Catholic, 12 percent Sunni Muslim, and 7 percent Protestant. The remaining 59 percent of the population consists of followers of other faiths, including traditional indigenous religions. Many converts to the larger faiths continue to practice some rituals of traditional indigenous religions. The number of atheists in the country is unknown but is thought to be small. Most Muslims live in the central and northern regions.

Missionary groups active in the country represent Catholicism, Protestantism, and Islam.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There is no state religion.

The Government establishes requirements for recognition of religious organizations outside the three main faiths—Roman Catholicism, Protestantism, and Islam, which are recognized officially. Applications must be submitted to the Interior Ministry's Division of Civil Security. A religious organization must submit its statutes, a statement of doctrine, bylaws, names and addresses of executive board members, the pastor's diploma, a contract, a site map, and a description of its financial situation. The Interior Ministry issues official recognition. The Civil Security Division also has enforcement responsibilities when there are problems or complaints associated with a religious organization.

The Government recognizes 97 religious groups, of which most are smaller Protestant groups and some new Muslim groups. Members of those religions not recognized officially are permitted to practice their religion, but have no legal standing. In 2000, 38 religious groups submitted applications to the government requesting official recognition. Since 1991, 317 groups have applied for recognition. There was no information available regarding the criteria for recognition, the number of rejections, or details about the groups that had been rejected. If an application provides insufficient information for recognition to be granted, the application often remains open indefinitely.

There are no special requirements for foreign missionary groups, which are subject to the same registration requirements as other groups.

Catholic, Protestant, and Islamic schools are common; however, they do not receive money from the Government.

The Government-owned television station, TV Togo, and the Ministry of Communication sponsored a program during the period covered by this report to foster Islamic-Christian understanding.

In January 2002, President Gnassingbe Eyadema, a Protestant, invited Catholic, Muslim, and Protestant religious leaders to an ecumenical prayer service to commemorate the anniversary of his military takeover. Eyadema has invited these religious leaders to this service for at least 10 years. For the fourth year in a row, the Catholic Church declined the invitation to attend the "Day of National Liberation" service, stating that it is inappropriate to hold a worship service in a government building.

#### *Restrictions on Religious Freedom*

In May 2002, the Government allegedly pressured the leadership of the Evangelical Presbyterian Church of Togo to drop disciplinary proceedings against a pastor, who claimed this action was politically motivated. President Eyadema report-

edly ordered the church to reinstate the pastor; however, when the synod refused, he dropped the issue and told them to resolve the matter internally.

The Constitution prohibits the establishment of political parties based on religion and states explicitly that "no political party should identify itself with a region, an ethnic group, or a religion." Catholics, Protestants, and Muslims occupy positions of authority in local and the central government.

According to an international nongovernmental organization (NGO), in 2000 the authorities established an inter-ministerial commission to investigate the activities of all religious groups in the country whose mode of worship allegedly harms the welfare of society. The Prime Minister expressed concern about the methods of worship by religious groups that beat cymbals and drums at night; however, the Government took no measures to restrict these groups during the period covered by this report.

The 17-member National Human Rights Commission (CNDH), elected by the National Assembly, includes Catholic, Muslim, and Protestant representatives. The CNDH hears appeals by religious organizations that the Government has disallowed principally for disturbing the peace. For example, in past years, members of Jehovah's Witnesses were not allowed to practice their faith because they would not take an oath to the national flag; however, this restriction was eased in 1998.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Members of different faiths regularly invite one another to their respective ceremonies. Intermarriage across religious lines is common.

The Christian Council was founded in 1978 to address common issues among Protestant denominations. The Council comprises the Assemblies of God, Protestant Methodist, the Baptist Convention, Pentecostal churches, Seventh-Day Adventist, Lutheran, and Evangelical Presbyterian denominations. The Council continued to debate whether to expand its membership to include other Protestant organizations. Catholics and Protestants frequently collaborate through the Biblical Alliance.

Under the leadership of the Archbishop of Lome, the Catholic Church continued to refrain from delivering political sermons praising President Eyadema. The Archbishop's predecessor had used the pulpit to praise the President, but such sermons alienated the congregation, which called for the former Archbishop's dismissal.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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## UGANDA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government imposed some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion; however, local authorities banned some churches suspected of being cults and also some nighttime religious meetings for security reasons. Several members of religious groups suspected of being cults were arrested and detained for illegal assembly.

The generally amicable relationship among religions in society contributed to religious freedom; however, the backlash from the killing of more than 1,000 citizens in 2000 at the hands of a religious group resulted in negative public attitudes toward minority Christian groups that are viewed as cults.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 146,556 square miles, and its population is approximately 23 million. Christianity is the majority religion, and its adherents constitute approximately 66 percent of the population. Muslims account for approximately 16 percent of the population. A variety of other religions, including traditional indigenous religions, Hinduism, the Baha'i Faith, and Judaism, are practiced freely and, combined, make up approximately 18 percent of the population. Among the Christian groups, the Roman Catholic and Anglican Churches claim approximately the same number of followers, accounting for perhaps 90 percent of the nation's professed Christians. The Seventh-Day Adventist Church, the Church of Jesus Christ of Latter-Day Saints (Mormons), Jehovah's Witnesses, the Baptist Church, the Unification Church, and the Pentecostal Church, among others, are active. Muslims are mainly Sunni, although there also are Shi'a followers of the Aga Khan among the Asian community. Several branches of Hinduism also are represented among the Asian community. There are few atheists.

In many areas, particularly in rural settings, some religions tend to be syncretistic. Deeply held traditional indigenous beliefs commonly are blended into established religious rites or observed alongside such rites, particularly in areas that are predominantly Christian.

Missionary groups of several denominations are present and active in the country, including the Pentecostal Church, the Baptist Church, the Church of Christ, and the Church of Jesus Christ of Latter-Day Saints.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government imposed some restrictions.

All religious organizations are required to register with the Nongovernmental Organizations Board. The Government continued to refuse to grant registration to the World Last Message Warning Church, an apocalyptic cult under suspicion following the 2000 cult killings of more than 1,000 citizens; however, in February 2002, criminal charges against the group's leader were dropped for lack of evidence. There were no reports that the Government refused to grant such registration to any other religious organization.

The Political Organizations Act, which was implemented in June 2002, imposes restrictions on the registration and organization of political parties and organizations; it precludes the formation of such entities if membership is based exclusively on sex, race, color, ethnic origin, tribal birth, creed, or religion.

Missionary groups face no restrictions on their activity. Foreign missionary groups, like foreign nongovernmental organizations (NGO's), must register with the Government. There were no reports that the Government refused to grant registration to any foreign missionary groups.

Permits also are necessary for the construction of facilities, including religious facilities. There were no reports that the Government refused to grant such permits to any religious organization.

Private Koranic and Christian schools are common. There is no religious instruction in public schools.

Prisoners are given the opportunity to pray on days appropriate to their faith. Muslim prisoners usually are released from work duties during the month of Ramadan.

Religious holidays celebrated as national holidays include Idd-Adhuha, Good Friday, Easter Monday, and Christmas.

*Restrictions on Religious Freedom*

Some local governments have restricted the hours of operation of religious organizations that are viewed as cults. The Government largely has ignored calls for these churches to be shut down and their followers returned to mainstream churches. However, in the wake of discoveries in 2000 that members of a religious group had killed more than 1,000 citizens, several religious organizations were disbanded forcibly. In October 2001, police in Kampala closed Pastor Stephen Wandera's Pentecostal Revival Church following complaints from neighboring residents who suspected the church of being a cult. The Revival Pentecostal Church in Nseko village, Kasangati; a church group based in Hima public school, Busongora; and the Church of the Servants of the Eucharistic Hearts of Jesus and Mary in Bushenyi, which all were shut down in 2000, remained closed at the end of the period covered by this report.

Local authorities banned at least one religious group because it forbade members from seeking medical treatment. On March 7, 2002, the Nebbi Resident District Commissioner (RDC) banned all activities by a religious group called the “Jurwo Ni Mungu,” or “Believers in God,” following reports that 10 members of the group had died after refusing to seek necessary medical treatment. On March 13, those arrested were charged with unlawful assembly and remanded to prison pending trial. On March 13, Otuga Regenaro, the group’s leader, also was arrested for unlawful assembly; he remained in prison pending trial at the end of the period covered by this report.

The United Methodist Church in Jinja remained closed during the period covered by this report; it had been closed in 2000 following allegations that the church forbade members from seeking medical treatment.

Local authorities also banned some night-time religious meetings. On September 28, 2001, the RDC for Bushenyi banned night prayers reportedly to eliminate the possibility of rebel recruitment at such meetings. In May 2002, the Deputy RDC’s for Masaka and Mukono Districts banned night-time Bible studies and prayer meetings, reportedly as a result of declining public safety at night in those areas. However, unlike in the past, there were no reports that local officials dispersed meetings of religious groups.

#### *Abuses of Religious Freedom*

On March 21, 2002, Father Michael Declan O’Toole, an Irish Catholic priest, and two other persons were shot and killed at a military roadblock in Kotido District. On March 23, two soldiers were charged with the killings, and on March 26, they were tried by a court martial tribunal and executed; neither was afforded the right of appeal. The motivation for the killing of Father O’Toole, who frequently criticized the conduct of security forces in the area, was believed to be criminal, rather than religious.

Authorities arrested the members of several religious groups during the period covered by this report. On December 20, 2001, police in Wakiso District arrested the leader and 92 members of the “Ndawula” religious group on charges of unlawful assembly. On December 21, authorities cleared and released 80 of the group members; the remaining 12 subsequently were released on bail pending trial. The group, which has been under suspicion since the 2000 cult killings, was banned from further assembly.

On March 21, 2002, in Kampala, 12 suspected followers of the Katula Kebise Buka religious group were arrested on charges of being idle and disorderly; subsequently, those arrested were released pending trial.

In April 2002, security authorities in Kampala rejected a Muslim request to march through the city to protest Israel’s occupation of Palestinian territory. The Muslims agreed to hold a prayer meeting in lieu of a march at a popular venue in downtown Kampala.

Unlike in the past, there were no reports that security officials harassed or detained Muslims; however, many Muslims, particularly members of the Islamic Tabliq group, believe their movements are monitored by security forces.

During the period covered by this report, the Uganda Human Rights Commission issued its investigation report into the 2000 killings in Kanungu of more than 500 followers of the Movement for the Restoration of the Ten Commandments of God and the discovery of mass graves of approximately 500 other persons; the report suggested that Joseph Kibwetere was not the leader of the group, but provided little new information. The Commission of Inquiry remained unable to complete its work because of lack of funding. Reverend Francis Mutazindwa, the former Assistant RDC of Rukungiri who failed to act on information about the activities of the Kanungu cult, remained on bond awaiting the Commission’s findings.

There were no developments in the 2000 case of Innocent Bitungwabariho, a leader of the Jesus Christ the King of Salvation church, who remained in detention on charges of child neglect, unlawful assembly, and being idle and disorderly after confining his family to their house for 5 years to prevent them from being exposed to sin. There also were no developments in the 2000 case involving five members of the Kisaaba Redeemed Church in Kayunga, Mukono district—Benon Kaye, Monica Isabirye, Ezeza Kisakye Lukwago, Catherine Nagujja, and Willinstone Nagenda—who were arrested and charged with causing the death of a church member by denying him medical treatment. Kaye and Isabirye were released on bail, and the other members were freed. There were no developments in the 2000 case involving five members of the Mulungiomu Full Gospel Church in Luweero—John Mwebaza, Florence Mirembe, Fred Mwesigwa, Sarah Mugabi, and Geoffrey Beyongera—who remained in custody at Luzira prison after reportedly telling their followers to fast and sell their property.

On February 4, 2002, the Director of Public Prosecutions withdrew for lack of evidence the charges of defilement, rape, abduction, and theft in the 1999 case against Wilson Bushara, leader of the World Last Message Warning Church, and his followers.

During the period covered by this report, Nabi Besweri Kiswabuli, the apostle of the Issa Massiya religious group in Iganga district, was released from prison after an investigation cleared him of any wrongdoing in the 1999 assault and injury of Daniel Tusubira, a former follower.

During the period covered by this report, 22 of the 38 members of the Islamic Tabliq group, who were arrested in 1995 on treason charges, were released for lack of evidence. The other 15 members remained in detention on treason charges after refusing the Government's offer of amnesty. The Government reportedly is pursuing its case against the 15 for terrorism; however, some members of the group still maintain that they are being held for religious reasons.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. However, the backlash from the 2000 killing of more than 1,000 citizens at the hands of a religious group resulted in negative public attitudes toward fringe Christian groups (see Section II). Some officials of "mainstream" Catholic, Protestant, and Muslim religious organizations have called for the closure of Christian churches that are viewed as cults.

During the period covered by this report, the Religious Efforts for Teso and Karamoja Reconciliation, a new religious initiative to reduce ethnic conflict in the northeastern part of the country, was created. The Acholi Religious Leaders Peace Initiative, an interfaith organization of Catholic, Muslim, Anglican, and other Christian leaders in northern Uganda, increased its efforts to find a peaceful resolution to the 17-year conflict between the Government and the Lord's Resistance Army. In 2001 the heads of the Catholic, Anglican, Orthodox, and Islamic faiths organized an Inter-religious Council, which was incorporated formally during the period covered by this report; the organization aims to strengthen interreligious dialog among the main religious groups and to advocate on social issues of concern to all groups.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Government and Embassy representatives met with leaders of various religions during the period covered by this report.

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## ZAMBIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 290,586 square miles, and its estimated population is 10,285,631. Approximately 85 percent of the population is Christian; 5 percent is Muslim; 5 percent adhere to other faiths, including Hinduism and the Baha'i Faith; and 5 percent is atheist.

The Christian faith was introduced by foreign missionary groups in the 1890's. The majority of indigenous persons, spread throughout the country, either are Roman Catholic or Protestant. In recent years, there has been an upsurge of new

Pentecostal churches, commonly known as the “born again” churches, which have attracted many young persons into their ranks.

Muslims are concentrated in certain parts of the country where citizens of Asian origin have settled along the railroad line from Lusaka to Livingstone, in Chipata, and in the eastern province. Most citizens of Asian origin are Muslims, although Hindus constitute a small percentage. A limited number of indigenous persons also are Muslim.

Foreign missionary groups operate in the country and include the Roman Catholic Church, the Anglican Church, and the Church of God.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

Although a 1996 amendment to the Constitution declared the country a Christian nation, while providing for freedom of religion in practice, the Government generally respects the right of all faiths to worship freely.

There are governmental controls that require the registration of religious groups. The Government approves all applications for registration from religious groups without discrimination. There were no reports that the Government rejected any religious groups that attempted to register or obtain licenses.

There were no reports that foreign missionary groups faced any special requirements or restrictions.

The Government permits religious instruction in public schools. Such instruction is conducted in the dominant Christian religion; however, it is not mandatory and students may be excused from it. Religious instruction in Islam and other faiths is conducted in private schools owned and controlled by those faiths.

Some religious organizations operate radio stations and television networks. Prior to the presidential elections in December 2001, Trinity Broadcasting Network (TBN), a Christian television network, agreed to air taped debates among presidential candidates. The Ministry of Information threatened to revoke TBN’s license if it broadcast the debates, claiming that TBN’s license did not permit it to air non-religious programming. The court subsequently determined that because TBN made a contractual commitment to air the debates, it was obligated to adhere to that contract. TBN aired the debates, and the Ministry of Information took no subsequent action against the network.

### *Restrictions on Religious Freedom*

The Oasis Forum, composed of the Zambia Episcopal Conference, the Christian Council of Zambia, and the Evangelical Fellowship of Zambia, continued to be active during the period covered by this report. In the past, it was criticized by individuals, including some members of the Government, for publicly opposing efforts to amend the Constitution to enable the President to seek a third term of office; however, there were no reports that members of the Government criticized the Forum during the period covered by this report. In spite of the criticism of these churches for taking a stand on a political issue, they were able to organize activities freely to mobilize public opinion regarding the third-term issue and are engaged actively in efforts to promote comprehensive constitutional reform.

There were no reports of religious prisoners or detainees.

### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

Leaders of various ecumenical movements, such as the Zambia Episcopal Conference, the Christian Council of Zambia, and the Evangelical Fellowship of Zambia, hold regular meetings to promote mutual understanding and interfaith dialog, and to discuss national issues.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**ZIMBABWE**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, a law that criminalizes both purporting to practice witchcraft and accusing persons of practicing witchcraft reportedly was viewed as restrictive by some practitioners of indigenous religions.

The status of respect for religious freedom deteriorated during the period covered by this report. The Government and the religious communities historically have had good relations; however, the Government increasingly became critical of and harassed religious leaders who spoke out against the Government's ongoing campaign of violent intimidation against opposition supporters. Church leaders and members who criticized the Government faced arrest and deportation.

The generally amicable relations between the various religious communities contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 240,122 square miles, and its population is estimated at 11,342,521. Between 60 and 70 percent of the population belong to the mainstream Christian denominations, with between 17 and 27 percent of the population identifying themselves as Roman Catholic. There are no reliable statistics on the exact number of Christian churches or religious movements in the country. The evangelical denominations, mostly Pentecostal churches, and Apostolic groups are the fastest growing religious groups in the country. They appeal to large numbers of disillusioned members from the established churches who reportedly are attracted by promises of miracles and messages of hope at a time of social and economic stress. There is a small Muslim population in the country, estimated at 1 percent. The remainder of the population consists of practitioners of Greek Orthodoxy, Judaism, and traditional indigenous religions and indigenous syncretistic religions that mix Christianity and traditional African culture and beliefs; there also are small numbers of Hindus, Buddhists, Baha'is, and atheists.

The dominance of Christianity dates to the early contact of Portuguese traders and Jesuit priests with Africans in the region in the late 1500's. The Jesuits established churches and educational institutions in the Zambezi Valley at that time. Several centuries later, Catholic, Methodist, Anglican, Dutch Reformed, and Salvation Army missionaries began to compete aggressively for territorial and spiritual monopolies throughout the country, resulting in "areas of interest" for each of these churches. As a result, many persons identify with the Christian denomination that has had the longest historical connection to their area. President Robert Mugabe is a Roman Catholic who professes to practice his faith actively, and many of those who make up the elite of society tend to be associated with one of the established Christian churches, especially the Anglican and Methodist churches.

Due to the country's colonial and apartheid-like history, the vast majority of the country's black population was prevented from attending government schools, which were restricted to white students. Christian mission schools taught the few blacks who were able to obtain a formal education. Consequently the vast majority of the country's liberation war leadership, who later became the Government's senior officials, were trained by Christian educators.

The Muslim community consists primarily of South Asian immigrants (Indian and Pakistani), migrants from other southern and eastern African countries (Mozambique and Malawi), and a very small number of North African and Middle Eastern immigrants. There are mosques located in nearly all of the larger towns, and there are a number of mosques in rural areas. There are 18 mosques in the capital Harare and 8 in Bulawayo. The Muslim community generally has been somewhat insular; however, in the past several years, the Islamic community has proselytized among the majority black indigenous population with increasing success, and it has expanded its outreach efforts.

A variety of indigenous churches and groups have emerged from the mainstream Christian churches over the years. Some, such as the Zimbabwe Assembly of God (ZAOG), continue to adhere strictly to Christian beliefs; in fact, they oppose the es-

pousal of traditional religions. Other indigenous groups, such as the Seven Apostles, combine elements of established Christian beliefs with some beliefs based on traditional African culture and religion. These latter groups tend to be centered on a prophetic figure, with members of the congregation identifying themselves as “apostles.” These church members wear long white robes and head coverings. Many of these churches date from the early 1920’s, when there was widespread racial and religious segregation. Many of the founders of African indigenous churches broke away from Christian missionary churches, and some of their teachings incorporate what has become known as “black consciousness.” To a large extent, these churches grew out of the Christian churches’ failure to adapt to traditional African culture and religion. These indigenous churches have proliferated as a result of splits among the followers of the different “prophets.”

Many persons continue to believe, in varying degrees, in traditional indigenous religions. These persons may attend worship in a westernized Christian church on Sundays but consult with traditional healers during the week. Belief in traditional healers spans both the rural and urban areas. Traditional healers are very common and are licensed and regulated by the Zimbabwe National African Traditional Healers’ Association (ZINATHA).

Foreign missionaries operate in the country, including members of the Roman Catholic Church and the Anglican Church.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, a law that criminalizes both purporting to practice witchcraft and accusing persons of practicing witchcraft reportedly was viewed as restrictive by some practitioners of indigenous religions. There is no state religion. The Government generally recognizes all religions.

The Government does not require religious institutions to be registered. Religious organizations that operate schools or medical facilities are required to register those specific institutions with the appropriate ministry regulating those areas. Similarly, religious institutions may apply for tax-exempt status and duty-free privileges with the Customs Department, which generally grants such requests.

The Government permits religious education in private schools. There are Islamic and Hebrew primary and secondary schools in the major urban areas, primarily Harare and Bulawayo. The country has had a long history of Catholic, Anglican, and Methodist primary and secondary schools. Since independence there also has been a proliferation of evangelical basic education schools. The Christian schools constitute one-third of the schools in the country, with the Catholic Church having the majority. In addition there are several institutions of higher education that include religious studies as a core component of the curriculum.

Christian missions provided the first hospitals to care for black citizens. There are 123 hospitals and clinics in the country that fall under the Zimbabwe Association of Christian Hospitals, an association that consists largely of mainstream Christian churches. The individual churches are the predominant source of funding for maintaining these hospitals because of the Government’s increasing inability to provide essential services. The Government does provide small subsidies to facilitate the hospitals’ functions, but these make up only a small percentage of the hospitals’ operating budgets.

### *Restrictions on Religious Freedom*

Witchcraft—widely understood to encompass attempts to harm others not only by magic but also by covert means of established efficacy such as poisons—traditionally has been a common explanation for diseases of which the causes were unknown. Although traditional indigenous religions generally include or accommodate belief in the efficacy of witchcraft, they generally approve of harmful witchcraft only for defensive or retaliatory purposes and purport to offer protection against it. In the past several years, interest in healing through traditional religion and through prayer reportedly has increased as HIV/AIDS has infected an estimated one-third of the adult population, and affordable science-based medicines effective in treating HIV/AIDS have remained unavailable.

The Witchcraft Suppression Act (WSA) criminalizes purporting to practice witchcraft, accusing persons of practicing witchcraft, hunting witches, and soliciting persons to name witches; penalties include imprisonment for up to 7 years. The law defines witchcraft as “the use of charms and any other means or devices adopted in the practice of sorcery,” and provides punishments for intending to cause disease or injury to any person or animal through the use of witchcraft. Since 1997

ZINATHA has proposed amendments to the law that would redefine witchcraft only as the practice of sorcery with the intent to cause harm, including illness, injury, or death; however, mainstream Christian churches reportedly have opposed such legislation. Human rights groups also generally supported the existing WSA; the Act has been used since independence primarily to protect persons, primarily women, who have been accused falsely of causing harm to persons or crops in rural areas where traditional religious practices are strong. In March 2002, the Traditional Medical Practitioners Council, formed from members of ZINATHA to oversee traditional healers, called for amendments to the WSA that would authenticate the existence of witches and wizards and remove penalties for accusing persons of practicing witchcraft.

There is some tension between the Government and some indigenous African churches because of the latter's preference for prayer over science-based medical practices that result in the reduction of avoidable childhood diseases and deaths in those communities. Some members of the indigenous churches and groups believe in healing through prayer only and refuse to have their children vaccinated. The Ministry of Health has had limited success in vaccinating children against communicable childhood diseases in these religious communities. Human rights activists also have criticized these indigenous churches for their sanctioning of marriages of underage girls.

President Mugabe has expressed skepticism about the increasing membership in evangelical and indigenous churches and has indicated that he believes that they could be subversive. According to press reporting, he has refused to meet with bishops from indigenous churches since 1997.

The Government maintains a monopoly on television broadcasting through the Zimbabwe Broadcasting Corporation (ZBC), despite a broadcasting law passed in 2001 that permits one independent television broadcaster but imposes stringent licensing requirements. The Government permits limited religious broadcasting on ZBC and advertising in the government-controlled press by the older, established Christian churches, as well as new evangelical churches and institutions, such as The 700 Club and World Vision. Programming produced by the U.S.-based Christian Broadcasting Network is shown on ZBC. The Government generally follows the recommendations of the Religious Advisory Board, an umbrella grouping of Christian denominations, on appropriate religious material to broadcast. Muslims, who are not represented on the board, have approached the advisory board about obtaining access to airtime. The chairman of the Religious Advisory Board believes that Muslims represent too small of a percentage of society to take up minimal religious airtime or to merit membership on the advisory board. Other evangelical church groups are more hostile to Islam and are unlikely to support the inclusion of Islamic programming in the already limited religious broadcasting block. However, during the period covered by this report, Muslims were allowed to conduct the daily opening prayer on ZBC once or twice per week. In addition the Council of Islamic Scholars of Zimbabwe sponsored the publication of two supplements in the government-owned Sunday Mail newspaper that sought to educate readers about the Islamic faith.

In the last few years, due to inadequate resources, the Government has returned several former church schools that it had taken over at independence to their respective churches. The Government has returned nearly all of the secondary schools and a few of the primary schools that it seized from the churches after independence. Most former church schools that the Government still controls are used as primary schools in the rural areas.

#### *Abuses of Religious Freedom*

The Government and government supporters targeted some clergymen because they strongly criticized the state-sanctioned, politically motivated crimes and violence during the period prior to the 2000 parliamentary elections and the March 2002 presidential election and urged the Government to restore peace in the country (see Section III). Church leaders and members who criticized the Government faced arrest and deportation. On February 16, 2002, police arrested Father Kevin O'Doherty and eight others participating in a prayer procession to police headquarters in Bulawayo. They were charged with contravening the newly-passed Public Order and Security Act, but the charges later were dropped.

During the 2002 presidential election campaign, the state-controlled daily newspaper in Bulawayo printed false accusations against Archbishop Ncube, including that he distributed sexually explicit material to prisoners, following his remarks criticizing the Government's violent campaign tactics. At a campaign rally in February 2002, President Mugabe claimed Ncube had "political tentacles" and supported the opposition after the Archbishop resisted government attempts to take over the Catholic-run St. Luke's hospital.

In August 2001, Gabriel McGuire, an Irish Catholic priest in Harare, was declared a prohibited person and deported. No official reason was given; however, church members speculated that the Government took exception to his sermons in which he made generic statements about citizens' "right to have a voice." Paul Andrianatos, a Greek Orthodox priest with South African citizenship who was ordered to leave the country in March 2001, remained outside the country at the end of the period covered by this report.

In late May 2002, local government minister Ignatius Chombo prompted war veterans in Binga district, Matabeleland North province, to close down the food distribution efforts of the Catholic Commission for Justice and Peace (CCJP), which was the only source of food for many rural residents in the Binga district. Chombo criticized the CCJP for establishing local structures parallel to the Government's structures. War veterans continued to block the food from leaving CCJP's warehouse at the end of the period covered by this report, preventing food deliveries to hospital patients and school children.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relations between the various religious communities contributed to religious freedom. The Muslim, Jewish, Hindu, Baha'i, and Buddhist religious communities are relatively small and generally are not in competition with Christian denominations for converts. Catholic Church officials say that they welcome interfaith dialog with Muslims. In the late 1990's, some of the evangelical churches objected to Muslims giving advice to the government-owned Cold Storage Corporation on how to prepare "halaal," or kosher, meat for export; there were no such reports during the period covered by this report.

There are at least four umbrella religious organizations primarily focused on interdenominational dialog among Christians and other interreligious activities. Muslims are not represented in any of these organizations, and there is no vehicle for formal Christian-Muslim dialog; however, informal dialog occurs from time to time. A few Muslims have complained of discrimination by private employers who refuse to allow them sufficient time to worship at their mosques on Fridays.

The Zimbabwe Council of Churches (ZCC) is an umbrella organization of all non-Catholic ecumenical Christian missionary churches except for evangelical organizations. It maintains a secretariat in Harare, conducts development programs, has a Justice and Peace desk, and collaborates with the much older CCJP. The Catholic Church and the Zimbabwe Catholic Bishops' Conference have observer status within the ZCC, and relations generally are cooperative. Some members of the Christian community are hesitant to support Catholics joining the ZCC because of memories of the inability of religious leaders to work together during the liberation war era, and they fear a repeat of that experience. The ZCC also has worked with other church groups and civil society organizations on social issues. The ZCC traditionally was supportive of President Mugabe, but it has become more critical of the Government's campaign of violent intimidation against opposition supporters.

The Heads of Denominations (HOD) is a pragmatic association of Catholic and other Christian denominations that has no spiritual or theological emphasis. It was created to enable collaboration among Christian groups and the Government in the operation of religious schools and hospitals. The HOD provides a vehicle for Christian churches to speak to the Government with a common voice on policy issues and includes the Catholic Church, which operates a significant number of the rural hospitals and schools in the country. The HOD has a loose structure and no office. The HOD's secretarial support is provided by the general secretariat of the Zimbabwe Catholic Bishops' Conference (ZCBC), and its secretary general holds the same position in the ZCBC. The education secretaries of the various churches work together under the HOD, as does the religious advisory board to the ZBC. This broad grouping of churches under the HOD also collaborate on a wide range of social issues including HIV/AIDS education, and, in conjunction with the ZCC, the Christian churches have addressed the declining economic conditions affecting their members across the country. The HOD continues to deliberate over the role religious institutions should play in combating the HIV/AIDS crisis. Many churches already operate programs designed to help the victims of HIV/AIDS; for example, the Catholic

Church and other religious and lay persons operate a center for persons infected with HIV/AIDS called "Mashambanzou" in Harare.

The Evangelical Fellowship of Zimbabwe (EFZ) is an umbrella organization of loosely affiliated evangelical churches that was established in the early 1980's. The fellowship has observer status with the HOD but does not work closely with either the ZCC or Catholic Church. However, the evangelical and Catholic churches do collaborate in the broadcasting of religious programs.

One area of ecumenical collaboration has been translation of the Bible into the majority language, Shona. Several priests and ministers have worked on this project since 1987.

Fambidzano, which means "walking together," is a relatively new grouping of indigenous churches. A South African Dutch Reformed Church theologian and social anthropologist, Inus Daneel, who has researched these churches in South Africa and Zimbabwe, founded the organization in the mid-1970's. Fambidzano was created to give the leaders of these churches more theological and biblical education, according to Daneel. There is little dialog between Fambidzano and the Catholic Church; however, the two organizations are discussing the need to work with the indigenous churches, to which many persons are turning because of their emphasis on physical healing and spiritual salvation.

ZINATHA is an organization that represents traditional indigenous religions. The head of that organization is a university professor and vocal Anglican who is working to increase interreligious dialog between ZINATHA and mainstream Christian churches. During the period covered by this report, ZINATHA members formed the Traditional Medical Practitioners Council to certify and oversee traditional healers.

There were continuing reports of tensions between mainstream Christian churches and practitioners of traditional indigenous religions. A notable feature of some of the indigenous churches is the acceptance of polygamy among some of its members. Sexual abuse, the spread of HIV/AIDS, and the avoidance of modern medicines also are growing problems within these churches. In addition leaders of the Christian churches reportedly opposed the repeal or modification of the WSA sought by practitioners of traditional indigenous religions.

There were no reports of ritual murders associated with traditional religious practices during the period covered by this report, and the Government generally enforces the law against murder in the case of ritual murders. Gordon Chavanduka, chairman of ZINATHA, reportedly has stated that the black-market demand for human body parts used in making potions has increased greatly in recent years. There were no reports that persons killed children for body parts for use in practicing healing rituals associated with traditional religions during the period covered by this report. In 1999 Faber Chidarikire, a Zimbabwe African National Union Patriotic Front (ZANU-PF) official and mayor of the northern town of Chinhoyi, was charged with murdering a 13-year-old girl in 1987, but he was released on bail shortly thereafter following intervention by the Attorney General. Chidarikire was tried for the murder of the girl in June 2001; however, after the trial, a judgment in the case was deferred, and there was no judgment by the end of the period covered by this report.

Several key church leaders and organizations strongly criticized the state-sanctioned, politically motivated crimes and violence during the period before and after the March 2002 presidential election and urged the Government to restore peace in the country. Since the 2000 parliamentary elections, church groups throughout the country gradually have become more vocal in their criticism of the Government for the continuation of politically motivated violence. In a July 30, 2001, address to regional Catholic bishops, President Mugabe stated that the Roman Catholic Church should support the Government's land acquisition program and criticized it for "equivocating in the face of racial injustice." In January 2002, Zimbabwe Council of Churches General-Secretary Denison Mafinyane severely criticized the Government for unleashing a "reign of terror" against innocent citizens. In a May 5, 2002, address to the 10th Synod session of the Anglican Diocese of Manicaland, Bishop Sebastian Bakare criticized politicians who say there is peace in the country when citizens continue to suffer from political violence at the hands of ruling party supporters.

In late 2000 and early 2001, Pius Ncube, the Roman Catholic Archbishop of Bulawayo, stayed in Germany for several months after receiving numerous death threats for writing public letters accusing the Government of fueling political violence and urging citizens to exercise their right to vote. The Vatican reportedly demanded that the Government take steps to ensure the Archbishop's safety. In 2000 Anglican priest Tim Neill of Harare received a death threat letter signed by Ngondzashe Mutasa, the secretary general of the Revival of African Conscience, a previously unknown organization with no established following or platform. The po-

lice later apprehended Mutasa, who was tried and found guilty in September 2000; however, Mutasa was released in October 2000 under a general presidential amnesty for politically-motivated crimes. Father Neill left the priesthood in July 2001 after the Government forced him to resign as Vicar General of Harare and bypassed canonical law to install Norbert Kunonga, a staunch Mugabe supporter, as Anglican Bishop of Harare. Other priests reportedly have left the diocese because of Kunonga's sermons supporting Mugabe's reelection and the sometimes violent expulsion of mostly white commercial farmers from their land.

In late February 2002, ZANU–PF supporters beat three Catholic priests, two Catholic nuns, and a Catholic brother in Zaka after they met with U.S. officials. The perpetrators said the fact that the religious figures had met with U.S. diplomats suggested they were opposition supporters. Although local ruling party officials later apologized to the victims, the perpetrators were not charged with any crime.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government supports religious and other constitutionally protected freedoms through demarches to the Government; nondenominational financial support for community development projects, which often are associated with religious institutions; and regular dialog with and support for civil society organizations that advocate and monitor respect for human rights, including freedom of religion. The Embassy meets regularly with leaders of religious communities, including minority groups, and with nongovernmental organizations that work on issues of religious freedom.

# Latin America and the Caribbean

## ANTIGUA AND BARBUDA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

Antigua and Barbuda's two-island nation has a total land area of 170 square miles, 108 on Antigua and 62 on Barbuda. Its population is approximately 71,800. A significant percentage of the population represents citizens of Guyana and other Caribbean countries. The dominant religion is Christianity (mostly Anglican, Methodist, Moravian, and Roman Catholic), but religious freedom for others is not affected adversely. The minority religions are Islam, the Baha'i Faith, and Rastafarianism.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Government is secular and does not interfere with an individual's right to worship. Most government officials are Christian and Christian Holy Days, such as Good Friday, Whit Monday, and Christmas, are national holidays. The Government does not take any particular steps to promote interfaith understanding.

The law prohibits discrimination based on race, sex, creed, language, or social status, and the Government generally respected these provisions in practice.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion. Members of the Rastafarian community have complained that law enforcement officials unfairly target them. However, it is not clear whether such complaints reflect discrimination on the basis of religious belief by authorities or simply enforcement of laws against marijuana, which is used as part of Rastafarian religious practice.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations between the various religious communities are generally amicable. The Antigua Christian Council, an interdenominational group, conducts activities to promote greater mutual understanding and tolerance among adherents of different denominations within the Christian faith.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government, local groups, and other organizations in the context of its overall dialog and policy of promoting human rights.

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**ARGENTINA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Constitution states that the Federal Government “sustains the apostolic Roman Catholic faith” and provides it some privileges not available to other religions.

There was no change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom; however, discrimination, including anti-Semitic and anti-Muslim acts, continued to occur. There are a number of governmental and nongovernmental efforts to reduce discrimination and promote interfaith understanding.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 1,056,642 square miles, and its population is approximately 36,960,000. The Government has no accurate statistics on the percentage of the population that belongs to the Catholic Church and the other registered churches because the national census does not elicit information on religious affiliation. The Roman Catholic Church claimed 25 million baptized members (approximately 70 percent of the population). In April 2001, statistics provided by nongovernmental organizations (NGO's) to the U.N. Commission on Human Rights Special Rapporteur on Freedom of Religion or Belief indicated the following estimated membership in religious communities, which does not necessarily signify the practice of the religion: Catholics—88 percent of the population; Protestants—7 percent; Muslims—1.5 percent; Jews—1 percent; others—2.5 percent. However, accurate estimates of the religious affiliations of the population are difficult to obtain. The available estimates often are based on outdated census data and questionable presumptions, including a presumption that persons of Middle Eastern ethnic origin are Muslims. Estimates of the number of Jews vary between 180,000 and 450,000 persons. The Israeli-Argentina Mutual Association (AMIA) has announced it plans to undertake a demographic study during the latter half of 2002 to help determine the number, age, and socio-economic status of Jewish community members.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution grants to all residents the right “to profess their faith freely,” and also states that foreigners enjoy all the civil rights of citizens, including the right “to exercise their faith freely.”

The Constitution states that the federal Government “sustains the apostolic Roman Catholic faith,” and the Government provides the Catholic Church with a variety of subsidies. The Secretariat of Worship in the Ministry of Foreign Affairs, International Trade, and Worship is responsible for conducting the Government's relations with the Catholic Church, the non-Catholic Christian churches, and other religious organizations in the country.

The Secretariat of Worship maintains a National Registry of approximately 2,800 religious organizations representing approximately 30 religious denominations, including most of the world's major faiths. Religious organizations that wish to obtain tax-exempt status must register with the Secretariat and must report periodically to the Secretariat to maintain their status. Possession of a place of worship, an organizational charter, and an ordained clergy are among the criteria the Secretariat considers in determining whether to grant or withdraw registration. Registration is not required for private religious practices, such as those conducted in homes, but registration is necessary for any public activities. Following the change of Govern-

ment in December 2001, the Secretariat of Worship no longer promotes the changes to existing laws advocated by the De la Rúa government.

Registered religious organizations may bring foreign missionaries into the country by applying to the Secretariat of Worship, which in turn notifies the immigration authorities so that the appropriate immigration documents may be issued. There have been no reports of any groups being denied visas for their foreign missionaries.

Public education is secular, but students may request instruction in the faith of their choice, to be conducted in the school itself or at a religious institution, as circumstances warrant. Many churches and synagogues operate private schools, including seminaries and universities.

On January 16, 2002, U.N. Human Rights Commission Special Rapporteur on Freedom of Religion or Belief, Abdelfattah Amor, issued a report based on his April 2001 visit. The Special Rapporteur reported that the situation "in respect of freedom of religion or belief, which is also a reflection of State policy, is generally satisfactory." He also noted that all the religious communities consulted agreed that the situation was satisfactory regarding freedom of religion and freedom to manifest religion. He noted the De la Rúa Government's active dialog and cooperation with religious communities, the establishment of an advisory council of clergy and laymen, and the drafting of a bill on freedom of religion. (Government support for the latter two items ended in early 2002.) Among the recommendations the Special Rapporteur offered were: to pursue efforts to establish firmly the principles of tolerance and nondiscrimination; to determine financial grants to communities of religion or belief on the basis of the principle of equality through equivalence; to take measures to ensure that the (then) proposed bill on religious freedom would not result in discriminatory consequences arising from granting of the status of legal persons under public law; to continue investigations to identify those responsible for attacks on community premises; to promote tolerance and nondiscrimination through education and by creating prizes for journalists writing articles on minorities, religion, or belief. He also recommended continuation of a technical cooperation project by the U.N. High Commissioner for Human Rights entitled "Strengthening of Human Rights."

The Government changed at the end of 2001, and the new officials at the Secretariat of Worship have discontinued the previous Government's efforts related to promoting legal reforms and religious pluralism. However, the National Institute Against Discrimination, Xenophobia, and Racism (INADI), an agency of the Ministry of Interior, continues to promote social and cultural pluralism and to combat discriminatory attitudes (see Section III). INADI, which includes on its board representatives from the major religious faiths, investigates violations of a 1988 law that prohibits discrimination based on "race, religion, nationality, ideology, political opinion, sex, economic position, social class, or physical characteristics," and conducts educational programs to promote social and cultural pluralism and combat discriminatory attitudes. INADI has suffered from lack of funding and institutional instability; however, it has continued to investigate discrimination complaints, support victims, and promote proactive measures to prevent discrimination.

In January 2000, President De la Rúa committed the Government to implementing a Holocaust Education Project to be conducted under the auspices of the International Holocaust Education Task Force (ITF). The Ministry of Education's ethics and civic program is working with the Commission of Enquiry into the Activities of Nazism in Argentina (CEANA) and the Holocaust Memorial Foundation to include Holocaust education in the school system. At the June 2002 meeting of the ITF, Argentina became a full member of the Task Force and, as part of its contribution to promoting ITF objectives and expanding Holocaust education, the Government is planning a Holocaust Education Seminar for teachers in November 2002.

The law provides for 3 days of excused and paid leave for those observing the Jewish holy days of New Year, the Days of Atonement, and Passover, and the Islamic holy days of the Muslim New Year.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion; however, the Government provides the Catholic Church with some subsidies not available to other religions, and some other religious groups have made allegations of religious discrimination in the military and some federal ministries. The Government provides the Catholic Church with a variety of subsidies administered by the Secretariat of Worship. Such subsidies historically have totaled between \$2.4 and 3 million (8 and 10 million pesos) a year.

In April 2001, the Jewish community organization the Delegation of Israeli-Argentine Associations (DAIA) criticized the provincial government of Catamarca over the issue of teaching religion in public schools. The 1988 provincial Constitution, in

place since 1988, made the teaching of religion in public schools to minors obligatory provided that the parents agreed on the creed being taught. Article 270, which was implemented in 1999 and applied to the 2000 and 2001 school years, specified that all students would receive instruction in their parents' faith, thus separating children according to religion in a potentially discriminatory fashion. After DAIA's initial statements to the media, the provincial governor, Oscar Anóbal Castillo, revoked the article by decree in April 2001. Catholic religious leaders then demanded that the Article be reinstated. The provincial government, parents, and leaders of various religious groups negotiated a compromise and on July 31, 2001, agreed to make courses in religion an optional, after-school activity.

Some members of the non-Roman Catholic communities perceive religious discrimination in the military service and in some federal ministries. It is difficult to characterize such discrimination accurately and to measure it. Representatives of the Jewish community claim that there have been few if any Jewish citizens who have chosen to seek employment with the military or selected ministries largely due to a perceived fear of future discrimination in obtaining higher rank and appointments. Despite such assertions, there have been government ministers and other Jewish senior government officials in the current and past administrations. Although tensions stemming from abuses committed against Jewish citizens under the military regime continue, in late 2001, the Superior War College hosted an exhibit on the case of French Jewish military officer Alfred Dreyfus, organized by B'nai B'rith and the Beitler Family Foundation, with sponsorship by the Foreign Ministry, INADI, the Buenos Aires city government and the embassies of Israel, France, and the United States.

#### *Abuses of Religious Freedom*

Fifteen former Buenos Aires provincial police officers were linked to a stolen vehicle ring, which furnished the van used in the 1994 bombing of the AMIA Jewish Cultural Center (see Section III). The public trial of 20 accused accessories to the AMIA bombing began in September 2001 and continued at the end of the period covered by this report. In May 2002, some of the accused policemen, who were linked only indirectly to the event, were released because the time they had spent in jail prior to and during the trial met or exceeded the maximum amount of time punishable under the law for the severity of their alleged crime. There have been no apprehensions of those believed to be the intellectual authors of the attack.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among the various religious communities are amicable; however, religious discrimination, especially anti-Semitism, remains a problem. NGO's actively promote interfaith understanding. Ecumenical attendance is common at important religious events, such as the Jewish community's annual Holocaust commemoration.

NGO's promoting religious fraternity include the Argentine Jewish-Christian Brotherhood, an affiliate of the International Council of Christians and Jews, and the Federation of Arab Entities (Latin America), known as FEARAB. There has been particularly notable cooperation between FEARAB (Latin America), representing Muslims and Christians of Arab origin, and DAIA, the political representation of Argentine Jewry, to prevent religious tensions stemming from political conflicts in the Middle East. This model has been replicated in the region. Both the De la Rúa government and its successor Duhalde government through INADI undertook special efforts, along with FEARAB (Latin America), DAIA, and religious groups, to promote understanding and prevent polarization among diverse communities following the September 11 attacks in the United States and the escalation of violence in the Middle East.

Religious discrimination remains a problem. Most published reports of antireligious acts involved anti-Semitic activity, although there also are reports of isolated anti-Muslim and anti-Christian acts. INADI works to combat religious discrimination and other forms of intolerance (see Section II).

There were a number of reports of anti-Semitic and anti-Muslim incidents during the period covered by this report.

In April 2002, researchers at the DAIA Center for Social Studies published a report on anti-Semitism in the country that found the number of anti-Semitic incidents increased slightly in 2001. The researchers acknowledged that this may be

due to improved methods of documenting such cases. Over 72 percent of the reported cases of anti-Semitic acts were reported within the capital city of Buenos Aires. The most frequent incidents include occurrences of anti-Semitic and pro-Nazi graffiti and posters. There were also a considerable number of reports of bomb threats received by Jewish organizations and threats of violence to Jewish citizens received by mail and e-mail. From July to December of 2001, DAIA documented over 30 reports of bomb threats received by various Jewish organizations and more than 10 cases of personal threats to Jewish citizens. However, a Gallup poll circulated in 2002 to measure attitudes towards Jews and the Nazi genocide showed that public opinion about Jews had improved from previous years.

In early January 2002, eight graves in a Jewish cemetery in Buenos Aires suburb of Berazategui were desecrated. There has been no notable progress in the investigation.

In October 2001, Hebe de Bonafini, a well-known political activist, was quoted in an interview referring to prominent journalist Horacio Verbitsky as a Jew in a derogatory fashion.

Beginning in the fall of 2001, citizens of Middle-Eastern origin reported that they were suddenly perceived as different from other Argentines and subjected to unwarranted presumptions as to their religious and political affiliations. There was a report that school officials, in what was believed to be good faith efforts to protect children, advised parents they believed to be Muslim to keep their children home from school for a time. One expert on Islam in the country believes that cases of anti-Muslim discrimination are underreported because of a common societal belief that victims of discrimination bear some degree of responsibility.

There was no known progress in the cases of: the June 2000 vandalism of religious statues in a Catholic church in Buenos Aires; the September 2000 vandalism of a Jewish cemetery in Chaco Province; or the 1999 vandalism at Jewish cemeteries in La Tablada and Liniers, both in Buenos Aires province. There was also no progress in the investigation into the April 2001 letter bomb received by Alberto Merenson. There were no further developments in the following anti-Semitic incidents: The threats against two Jewish families in Parana, Entre Rios in 1999; the incident in which unknown persons shot at a Jewish school in La Floresta in 1999; bomb threats made to the new AMIA building and the theater in Tucuman in 1999; and threats against the Jewish country club in San Miguel in February 2000.

The investigation into the January 2001 bomb attack against the Shiite Islamic Mosque in Buenos Aires continued. There has been no notable progress.

In the case of three Buenos Aires youths, who assaulted a man they believed to be Jewish in 1995, two of the three suspects were retried in December 2001, convicted, and sentenced to 3 years in prison for the beating, which was judged to have been committed out of religious hatred. However, the two have not begun to serve their sentences pending a decision by an appeals court. The third suspect did not appear for the retrial but turned himself in to authorities in May 2002 for yet another trial, which has not yet been scheduled.

There has been no further progress reported in the investigation into the 1992 terrorist bombing of the Israeli Embassy. The investigation into the 1994 bombing of the AMIA cultural center continues (see Section II).

In 1999 CEANA reported on the extent of Nazi influence in the country during the 1930's and 1940's. CEANA has published the results of its research in academic journals and has organized seminars in various universities. In March 2002, the Duhalde Government extended CEANA's mandate by decree through December 2003.

The Ministry of Education's ethics and civic program, which has authority for all the provinces other than Buenos Aires and the Federal Capital, is working with CEANA and the Holocaust Memorial Foundation to include Holocaust education in the school system.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Embassy officers meet periodically with a variety of religious leaders and attend events organized by faith-based organizations and NGO's that address questions of religious freedom.

The Embassy continued to provide support for the investigation into the 1994 AMIA bombing. For example, the legal attache coordinated a request for U.S. government personnel to testify at the trial regarding the findings of the technical analysis of elements from the crime scene and continues to respond to investigative leads in the AMIA case from the federal court charged with the terrorism inquiry.

The U.S. Embassy assists on an ongoing basis with the Government's implementation of a Holocaust Education Project, conducted under the auspices of the International Holocaust Education Task Force. For example, the Embassy agreed to provide air transportation for two teacher trainees to attend Holocaust Education courses in the United States in August 2002.

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## BAHAMAS

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 13,939 square miles, and its population is approximately 305,000.

There are a wide variety of religious beliefs in the country. More than 90 percent of the population profess a religion, and anecdotal evidence suggests that most of these persons attend services on a regular basis. The country is ethnically diverse, with a Haitian minority of as many as 40,000 persons, and a white/European minority that is nearly as large. The country's religious profile reflects this diversity. Protestant Christian denominations (including Baptists, Anglicans, Presbyterians, Methodists, Evangelicals, Seventh-Day Adventists, and the Salvation Army) are in the majority, but there are significant Roman Catholic and Greek Orthodox populations. Smaller Jewish, Baha'i, and Muslim communities also are active. A small but stable number of citizens identify themselves as Rastafarians, while some members of the country's small resident Guyanese and Indian populations practice Hinduism and other South Asian religions. Although many unaffiliated Protestant congregations are almost exclusively black, most mainstream churches are integrated racially.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

Although there is often reference to the country's strong Christian heritage in political and public discourse, there is no established or official state religion. Clergy are trained freely in the country, and the Constitution specifically forbids infringement of a person's freedom to change religion.

Churches and other religious congregations do not face any special registration requirements, although they must incorporate legally to purchase land. There are no legal provisions to encourage or discourage the formation of religious communities, which are required to pay the same tariffs and stamp taxes as other companies once they legally incorporate.

Religion is recognized as an academic subject at government schools and is included in mandatory standardized achievement and certificate tests for all students. The country's Christian heritage has a heavy influence on religion classes in government-supported schools, which focus on the study of Christian philosophy, biblical texts, and to a much lesser extent, comparative and non-Christian religions. The Constitution allows students, or their guardians in the case of minors, to opt out of religious education and observance in schools, and this right—although rarely exercised—is respected in practice.

The Government permits foreign clergy and missionaries to enter the country and to practice their religion without restriction.

The Government meets regularly with religious leaders, both publicly and privately, to discuss social, political, and economic issues.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations among religious congregations are generally harmonious. However, in August 2001, a member of the Rastafarian minority publicly alleged broad-based discrimination in employment and social situations against members of his minority by the Christian majority.

There are several interdenominational organizations and ecumenical movements. These groups freely express their opinions on social, political, and economic issues.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**BARBADOS**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among the religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 166 square miles, and its population is approximately 265,000. Christianity is the dominant religion, of which members of the Anglican church constitute a majority. There also are significant numbers of adherents to the Pentecostal, Methodist, Moravian, Roman Catholic, Seventh-Day Adventist, Jehovah's Witnesses, Baptist, and Church of Jesus Christ of Latter-Day Saints (Mormon) congregations. Other religions include Rastafarianism, the Baha'i Faith, Judaism, and Islam. Several denominations sponsor missionary activities.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Government is secular, but most government officials are Christian. The Government does not take any steps to promote interfaith understanding. Christian holy days such as Good Friday, Easter, Whit Monday, and Christmas are national holidays.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The country has a history of being open and tolerant of diverse forms of worship. Relations between the various religious communities are generally amicable. The Barbados Christian Council and the Caribbean Conference of Churches conduct activities to promote greater mutual understanding and tolerance among adherents of different denominations within the Christian faith.

Although society is dominated by Christian attitudes, values and mores, individuals respect the rights of religious minorities such as Jews, Baha'is, Muslims, Hindus, Sikhs, and others.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government, local groups, and other organizations in the context of its overall dialog and policy of promoting human rights.

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**BELIZE**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 8,867 square miles. Its population of approximately 250,000 persons includes a growing Mestizo population (46.4 percent), a diminishing Creole component (27.7 percent), a stable Mayan element (10 percent), and a Garifuna component (6.4 percent); the balance of the population (9.5 percent) includes Europeans, East Indians, Chinese, Arabs, and North Americans. Most citizens are Roman Catholic (58 percent). Even when Creoles predominated, Roman Catholicism was the principal faith. At one time, 80 percent of the population was Roman Catholic, which underlies the Church's continuing influence in society.

Despite the long period of British colonial rule, only 7 percent of the population are Anglicans. Another 6 percent are Pentecostals. Other faiths and denominations have fewer than 10,000 members. Among them are Methodists (4.2 percent), Seventh-Day Adventists (4.1 percent), and Mennonites (4 percent). There are approximately 5,000 Hindus and Nazarenes and modest numbers of Baha'is, Baptists, Buddhists, members of Jehovah's Witnesses, members of the Church of Jesus Christ of Latter-Day Saints (Mormons), Muslims, Rastafarians, and Salvation Army members, all of whom are able to proselytize freely. Except for the Mennonites and Pentecostals, who mostly live in the rural districts of Cayo and Orange Walk, followers of these minority faiths tend to live in Belize City. Roman Catholics are numerous throughout the country and constitute the majority faith in all but one of the country's six districts. In Belize district, Catholics hold a plurality but Anglicans constitute over 27 percent of the population. Approximately 6 percent of citizens identify themselves as nonbelievers or members of no religious congregation. There were no reports of the mistreatment of atheists or agnostics.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion; however, the preamble to the Constitution states that "the nation of Belize shall be founded upon principles which acknowledge the supremacy of God." On January 1, 2002, an amendment to the Constitution expanded the appointed Senate to 12 persons, 1 of whom is to be appointed by the Governor General acting in accordance with the advice of the Belize Council of Churches and the Evangelical Association of Churches. The membership of these or-

ganizations includes several Christian denominations, including Anglican, Catholic, Methodist, Presbyterian, Seventh-Day Adventist, and others. On March 26, 2002, a Catholic priest was sworn into the Senate.

Under the Constitution, freedom of religion is part of a broader protection—that of freedom of conscience. In addition, the Constitution provides that no one shall be compelled to take an oath that is contrary to a person's religion or belief. Discrimination on religious grounds is illegal and rare.

There are no special registration requirements or fees for religious organizations, and legal incorporation for a religion or denomination is a simple matter. Property taxes are not levied against churches and other places of worship. However, property taxes are levied against other church-owned buildings occupied on a regular basis, such as the pastor's or priest's residence.

Clergy preach, teach, and train freely.

Under the country's revised Immigration and Nationality Act, foreign religious workers are permitted to enter the country and proselytize; however, they must be registered and purchase a religious worker's permit. The yearly fee is modest. There is a steady stream of religious workers and missionaries from the United States. In addition to preaching, these visitors are involved in building and renovating schools and churches, providing free medical and dental care, and distributing donated food, clothing, and home fixtures.

The Constitution stipulates that religious communities may establish "places of education" and states that "no such community shall be prevented from providing religious instruction for persons of that community." Although there is no state religion, separation of church and state is ill-defined in the country's educational system, which maintains by statute a strong religious curriculum. The curriculum ties "spirituality" with social studies courses. It requires in both public and private schools that primary school students, from kindergarten through sixth grade, receive 220 minutes of religious instruction and chapel every week. However, schoolexit exams do not have a section on religion. There are efforts underway to lessen the religious component of the school day, but most citizens likely would object to a strictly secular school day. Roman Catholic holy days are routinely school holidays. However, the Constitution prohibits any educational institution from compelling a child to receive religious instruction or to attend any religious ceremony or observance without his consent or, if under the age of 18, the consent of the child's parents. This constitutional safeguard is particularly important because most of the country's primary and elementary schools, high schools, and colleges are churchaffiliated.

The Constitution also stipulates that no one shall be required to receive religious instruction or attend services without their consent while serving in the armed forces or detained in prison or in any corrective institution. The country's 850-member Defense Force supports 1 Catholic chaplain, but does not restrict the practice of other religions.

To help maintain religious harmony, the Constitution reserves the right of the Government to intervene in religious matters "for the purpose of protecting the rights and freedoms of other persons," including the right to observe and practice any religion "without the unsolicited intervention of members of any other religion."

Several traditional Christian religious holidays—Good Friday, Holy Saturday, Easter Monday, and Christmas Day—are observed as national holidays. These holidays do not impact negatively any religious group.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who were abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among the faiths are harmonious. Religious groups occasionally join forces in ecumenical efforts to distribute goods to the needy, clean up neighborhoods, alert the public to the dangers of sexual promiscuity, fight crime, protect children, and carry out similar endeavors. The Government also occasionally seeks input from a cross-section of the religious community in addressing these issues.

In the past, extortion and kidnaping attempts were made against Mennonite communities; however, these incidents do not appear to have been motivated by the reli-

gion of the victims. The motive for targeting Mennonites seems to have been monetary because some are very prosperous by the country's standards. According to Mennonite community leaders, members of the community have not been targeted for such crimes since 1998.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. In addition, embassy representatives met with Mennonite community leaders and members of other religious communities during the period covered by this report, primarily to discuss the crime situation.

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## BOLIVIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. Roman Catholicism is the official religion.

There was no change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of approximately 425,000 square miles, and its population is estimated at 8.27 million.

According to a November 2001 survey conducted by the National Statistical Institute, the majority of the population, 78 percent, express affiliation to the Roman Catholic Church (a decrease of 2 percent over the last 10 years). Protestant denominations account for between 16 and 19 percent of the population. Catholic affiliation is higher in urban than in rural areas, while Protestant affiliation is highest (approximately 20 percent) in the countryside. Approximately 2.5 percent of the population indicated no religious affiliation. Less than 0.2 percent expressed affiliation to other faiths including Islam, the Baha'i Faith, Judaism, and Buddhism. There are 280 non-Catholic faith-based organizations and more than 200 Catholic organizations registered in the country.

Between 50 and 60 percent of the population identifies itself as indigenous, from Aymara (est. 1.5 million), Quechua (2.4 million), Guarani (77,000), Chiquitano (63,000), or 1 of 20 other smaller groups. The percentage of the population identifying themselves as indigenous is higher in rural areas, and the Roman Catholic Church tends to be weaker in these parts of the country due to both a lack of resources and indigenous cultural resistance. For many individuals, identification with Roman Catholicism coexists with an attachment to traditional beliefs and rituals, with a focus on the "Pachamama" or "Mother Earth" figure, as well as on "Akeko," originally an indigenous god of luck, harvests, and general abundance, whose festival is celebrated widely on January 24. Some indigenous leaders have sought to discard all forms of Christian religion. During the second-half of 2001 and the first 4 months of 2002, the Government registered 11 new religious associations.

There is a Mormon temple/center in Cochabamba serving more than 100,000 Mormons in the country. There is also a small Jewish community with a synagogue in La Paz, and a few Muslims and a mosque in the eastern city of Santa Cruz. Korean immigrants have their own church in La Paz. The majority of Korean, Chinese, and Japanese immigrants have settled in the city of Santa Cruz. There is a university in the city founded by Korean immigrants, which has evangelical/Presbyterian ties. There are Buddhist and Shinto communities, as well as a considerable Baha'i community spread throughout the country.

Missionary groups include Mennonites, the Church of Jesus Christ of Latter-Day Saints (Mormons), Seventh-Day Adventists, Baptists, Pentecostals, and many evangelical groups.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this

right in full, and does not tolerate its abuse, either by governmental or private actors. Roman Catholicism predominates, and the Constitution recognizes it as the official religion. The Roman Catholic Church receives support from the State (approximately 300 priests receive small stipends from the State), in part to compensate the Church for properties expropriated by governments in the past. The Catholic Church exercises a limited degree of political influence through the Bolivian Bishops' Conference.

In July 2000, then-President Hugo Banzer Suarez signed a Supreme Decree (similar to an executive order) governing the relationships between religious organizations and the Government, which then entered into force, replacing a 1985 decree that had been the subject of criticism by Catholic and non-Catholic churches. The 2000 decree reflects input from the churches and, according to the Government, was designed to increase transparency and dialog in church-state relations. The 2000 decree requires groups to consult civil authorities to address concerns, such as traffic, before conducting public gatherings such as outdoor celebrations. The 2000 decree also requires that the fundraising reports of religions be certified by a notary public. This requirement was designed to protect churches against allegations of money laundering or receiving money from drug funds.

Non-Catholic religious organizations, including missionary groups, must register with the Ministry of Foreign Affairs and Worship and receive authorization ("personeria juridica") for legal religious representation. The Government is not known to seek out or restrict gatherings of nonregistered religious groups; however, registration is essential for tax, customs, and other legal benefits. The Ministry may not deny legal recognition to any organization based on its articles of faith; however, the procedure typically requires legal assistance and can be time consuming. The process has led to the abandonment of a number of officially pending applications that require further legal revision. During 2001 and the first half of 2002, the Government did not reject any applications; however, it considered 69 previously pending applications to have expired because applicants had not responded to additional legal requirements or communications from the Ministry for a period of at least 6 months.

Religious groups receiving funds from abroad may enter into a framework agreement ("convenio marco") with the Government, lasting 3 years, which permits them to enjoy a judicial standing similar to the standing of nongovernmental organizations (NGO's) and to have tax-free status. Fourteen religious groups, including the Catholic Church, have such framework agreements with the Government.

Only Catholic religious instruction is provided in public schools. By law it is optional, and is described as such in curricular materials; however, students face strong peer pressure to participate. Non-Catholic instruction is not yet available in public schools for students of other faiths; the Government continues to develop an alternate course on "ethics." The Constitution prohibits discrimination in employment based on religion, and it does not appear to be common.

#### *Restrictions on Religious Freedom*

The Government denied religious registration to Hari Krishna in the 1980's, on the grounds of what the Government describes as nonfaith-related activities of the group. Individuals listed as Hari Krishna leaders in the 1980's continue to operate a legally registered educational organization.

The Government does not take a particularly active role to promote interfaith understanding, although it is represented at interfaith meetings. The Government works with both Catholic and Protestant religious organizations on social and health programs. If the President attends Mass as part of his official functions, it is traditional for all Cabinet members, regardless of their faiths, to accompany him.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations between the country's diverse religious communities are amicable, and ecumenical dialog between them continues. In 1999 the Catholic Church announced that it would no longer call neo-Pentecostal and evangelical churches "sects," which increasingly has been viewed as a pejorative term, but would call them instead "religious organizations." In 1999 Catholic, Protestant, and Jewish religious leaders initiated an interfaith dialog in the country. As a demonstration of improving Catholic-Protestant relations, a nationwide meeting of Catholics and Protestants was held in

May 2000. Catholic-Protestant meetings at the departmental (state) and national level have continued; there was a national meeting in May 2002. In addition, the churches are encouraging interfaith dialog at the grass-roots level between their members.

The Catholics and Methodists of Cochabamba have collaborated on publications and vigils, and following the Vatican's lead, Catholics and Lutherans in the country recognize each other's rituals of baptism.

There are no serious rivalries between religious groups, although there were reports of some resentment of missionary groups by Roman Catholics. The country's small Muslim community complained to the Government of discrimination against it by a minority of private citizens in the fall of 2001.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights and as an independent issue. The U.S. Ambassador and other embassy officers meet regularly with religious authorities, including the Ministry of Foreign Affairs and Worship, principal religious leaders, and the Papal Nuncio.

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## BRAZIL

The Constitution provides for freedom of religion, and the Government generally respects the right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 3,281,865 square miles, and its population is approximately 170 million (based on 2000 census results).

Nearly all major religions and religious organizations are present in the country. Many citizens worship in more than one church or participate in the rituals of more than one religion. Information obtained from the 2000 census indicated that approximately 74 percent of the population identify themselves as Roman Catholic, although only a small percentage of that number regularly attend Mass. Approximately 15 percent of the population identify themselves as Protestants, an estimated 85 percent of which are Pentecostal/evangelical. Evangelical churches have grown rapidly and have challenged the religious stronghold of the Catholic Church. Denominations include the Assembly of God and the Universal Church of the Kingdom of God. Lutherans and Baptists make up the bulk of the remaining Protestants and are centered in the southern part of the country, where the majority of German and northern European immigrants concentrated during the 19th and early 20th centuries. Approximately 427,000 respondents to the census stated that they were members of what the census described as "oriental religions," including Buddhism, Thevarada Buddhism, Zen Buddhism, Tibetan Buddhism, Soka Ga kai, other schools of Buddhism, Messianism, Seicho Nole, Perfect Liberty, Hare Krishna, Oshoo Disciples, Tenrykyo, Mahicari, the Baha'i Faith, Shintoism, and Taoism. Approximately 2.1 million respondents to the 2000 census checked "other," which includes Islam, Hinduism, spiritualism, esoteric traditions, and indigenous traditions. Approximately 7 percent of the population indicated that they did not practice any religion. Approximately 12 million participants did not respond.

Followers of African and syncretistic religions such as Candomble, Xango, Macumba, and Umbanda constitute approximately

4 percent of the population. Candomble is the predominant traditional African religion practiced among Afro-Brazilians. It centers on the worship of African deities brought to the country as a result of the slave trade. Syncretistic forms of African religions that developed in the country include Xango and Macumba, which to varying degrees combine and identify indigenous animist beliefs and Catholic saints with African deities. The capital of Bahia State, Salvador, where most African slaves arrived in the country, is considered the center of Candomble and other traditional African religions. As a result of internal migration during the 20th century,

AfroBrazilian and syncretistic religions have spread throughout the country. Followers of spiritism, mainly Kardecists—followers of the doctrine transcribed by Frenchman Allan Kardec in the 19th century—constitute roughly 1 percent of the population. There are approximately 500,000 Muslims. Sunni and Shi'a Islam are practiced predominantly by immigrants from Arab countries such as Syria, Lebanon, and Egypt who have arrived in the country during the past 25 years. There are approximately 55 mosques and Muslim religious centers. Shintoism is maintained to a limited degree among the Japanese-Brazilian community. Approximately 100,000 citizens identify themselves as Jewish. There are approximately 45,000 Jews in Rio de Janeiro and approximately 29,000 in Sao Paulo. Many other cities have smaller Jewish communities.

Foreign missionary groups, including the Church of Jesus Christ of Latter-Day Saints (Mormons) and several evangelical organizations, operate freely throughout the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

There are no registration requirements for religions or religious groups. There is no favored or state religion. All faiths are free to establish places of worship, train clergy, and proselytize, although the Government controls entry into indigenous lands. There is a general provision for access to religious services and counsel in all civil and military establishments. The law prohibits discrimination based on religion.

The Government restricts the access of missionary groups to indigenous people and requires groups to seek permission from the National Indian Foundation to enter official indigenous areas.

### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U. S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

There are amicable relations among the various religious communities in the country, although a natural rivalry exists among various religious groups vying for greater numbers of adherents. The influence of evangelical churches in the country is growing. There is no national ecumenical movement. The National Commission for Religious Dialogue brings together Christian, Jewish, and Muslim leaders.

Anti-Semitism is rare; however, there are signs of increasing tension between Jews and Muslims. There has been a growth in Brazilian websites with an anti-Semitic tinge, such as ones with skinhead and Holocaust-denial themes. Jewish community activists report that although at least one prominent leader has received hate mail, there have been no reports of any violent incidents directed at Jews.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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## CHILE

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report. A 2000 law was designed to bring other religious entities closer to the legal status enjoyed by the Catholic Church; however, the Catholic

Church still retains a privileged position. Absent specific regulations to implement the new law in government institutions, non-Catholic ministers reported that local administrators sometimes impeded their efforts to carry out their ministries in hospitals, prisons, and military units.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 292,257 square miles, and its total population according to the 2002 census is just over 15 million. According to the 1992 census (the latest official figures available), of the population over the age 14, approximately 77 percent were identified as Roman Catholic.

The term Evangelical in the country is used to refer to all non-Catholic Christian churches with the exception of the Orthodox (Greek, Persian, Serbian, Armenian), the Church of Jesus Christ of Latter-Day Saints (Mormons), Seventh-Day Adventists, and Jehovah's Witnesses. Approximately 90 percent of Evangelicals are Pentecostal. The 1992 census used the terms "Protestant" and "Evangelical" to inquire as to religion, although the terms often are considered interchangeable. In 1992 evangelicals totaled 1,198,385 persons, or 12 percent of the population over the age of 14. Those identifying themselves with the term Protestant accounted for 8,259 persons, less than 1 percent of the population. In the 1992 census, atheists and those "indifferent" regarding religion totaled 562,285, or approximately 6 percent of the population over the age of 14. All other religions totaled 409,910 persons, or slightly more than 4 percent.

In 1997 spokespersons for Protestant organizations estimated the number of Evangelicals in the country at between 1.8 and 12 million persons. Other estimates are as high as 3 million persons. The active Jewish population is estimated to be around 30,000 persons. The number of Protestants and Evangelicals has increased steadily with each census since 1930, when only 1.5 percent of the population claimed to be Protestant. The relative percentage of Catholics declines with decreases in socioeconomic status. A 1991 survey found that 93.4 percent of high-income respondents indicated that they were Catholic; the proportions declined to 75.2 percent in the middle-income group, and to 69 percent among those in the lower-income group. The survey found that 22 percent of persons at the lower-income levels were Protestants. A 1998 national survey conducted by the Center for Public Studies (CEP) suggested that 43 percent of Evangelicals were converts from another religion; 98 percent of Catholics had been born into that religion.

The CEP study also found that 8 out of 10 citizens believed in the existence of God, while 14 percent were doubtful and only 2 percent declared themselves atheists. Approximately 72 percent of those surveyed identified themselves as Catholics, 16 percent identified themselves as Evangelicals, 7 percent stated that they had no religion, 4 percent adhered to other religions, and 1 percent did not respond.

The CEP poll also found that 18 percent of respondents claimed to attend a church or temple at least once a week. In the 1998 survey, 29 percent stated that they never attended religious services. An estimated 32 percent stated that they prayed at least once a day and 15 percent stated that they never prayed.

There are a wide variety of active faiths. In addition to the dominant Catholic Church and the Pentecostal Methodist Church, the Wesleyan Church, Lutheran Church, Reformed Evangelical Church, Seventh-Day Adventist Church, Anglican Church, Methodist Church, and the Patriarch of Antioch Orthodox Church are among the Christian denominations represented. The Mormons and the Unification Church also are active. Other faiths include Judaism, Islam, and the Baha'i Faith. Members of all major faiths are concentrated in the capital, with Catholic, Evangelical, and Pentecostal churches also active in other regions of the country. Jewish communities also are located in Valparaiso, Vina del Mar, Valdivia, Temuco, Concepcion, and Iquique (although there is no synagogue in Iquique).

Foreign missionaries operate freely, and many priests are of foreign origin.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. Church and state are officially separate. However, the Catholic Church continues to enjoy a privileged position among religions and to re-

ceive preferential treatment. In addition to Catholic events, government officials attend major Protestant and Jewish religious and other ceremonies.

The March 2000 law on religion (“ley de culto”) includes a clause that prohibits religious discrimination.

Before the adoption of the 2000 law, religious faiths and related organizations other than the Roman Catholic Church were required to register with the Ministry of Justice as private, nonprofit foundations, corporations, or religiously affiliated clubs to receive tax-exempt status and the right to collect funds. Groups without such juridical status could worship, but did not enjoy the tax-exempt status, fund collection rights, and other benefits that come with legal recognition. Approximately 800 religious faiths and related organizations are registered under the old system with the Ministry of Justice. Government refusal to register a religious group, or withdrawal of its legal status, was rare, and generally stemmed from misuse of funds by the group or allegations of widespread criminal misconduct.

Traditionally the Roman Catholic Church was not governed by the same regulations as other religions; it was not required to register with the Ministry of Justice and enjoyed what amounted to “public right” (“derecho publico”) status. Public right status provides that a church may not lose its juridical standing through administrative action. Until the 2000 law on religion took effect, the only other church body with this legal status was the Antioch Orthodox Church. Previously all other religions, and groups affiliated with other religions, only enjoyed “private rights” (“derecho privado”), which allowed for the lifting of status through administrative actions. The 2000 law did not affect the status historically enjoyed by the Catholic Church.

The 2000 law on religion allows any religion to obtain the legal public right status. Under the law, the Ministry of Justice may not refuse to accept a registry petition although it may object to the petition within 90 days on the grounds that all legal prerequisites to register have not been satisfied. The petitioner then has 60 days to address objections raised by the Ministry or challenge the Ministry’s observations in court. Once a religious entity is registered, the State no longer has the ability to dissolve it by decree. Instead the semiautonomous Council for the Defense of the State (CDE), the official entity charged with defense of the State’s legal interests, must initiate a judicial review.

In addition, the 2000 law allows churches to adopt a charter and bylaws suited to a religious organization rather than a private corporation. Churches may set up affiliates (schools, clubs, and sports organizations) without the need to register them as separate, independent corporations. The law also grants other religions the right to have chaplains in public hospitals, prisons, and military units.

As of June 12, 2002, there were 274 religious faiths and related organizations that had reregistered with the Ministry of Justice; another 300 groups were in the process of doing so. Many churches continue to delay registering due to the complexities involved in formulating a new charter and bylaws. Many others have hesitated due to the taxes and fees involved in transferring the property from the old legal entity to the new one. The Ministry of Justice formed a committee that includes representatives of the affected organizations to seek a mechanism to avoid payment of the taxes and fees for the initial reregistration.

In addition to Christmas and Good Friday, three Roman Catholic holidays are considered national holidays.

#### *Restrictions on Religious Freedom*

The 2000 religion law grants religions other than the Catholic Church the right to have chaplains in public hospitals, prisons, and military units. However, without specific regulations to implement the new law on religion, non-Catholic ministers continue to report that local administrators make it difficult for them to gain access to prisons and public hospitals. Catholic priests usually do not face such difficulties. There is a perception among non-Catholic pastors that administrators are allowing greater access to prisons and hospitals; however, they still may be excluded by local administrators until specific regulations are issued.

Public events frequently are marked by the celebration of a Roman Catholic Mass and, if the event is of a military nature, all members of the participating units are obliged to attend. The military continues to block efforts by non-Catholic faiths to provide military chaplains. According to one report, members of the military living on the air force base in the northern city of Iquique were forbidden from conducting Bible study for children in their homes. Military recruits, whatever their religion, are required at times to attend Catholic events involving their unit. Membership in the Roman Catholic Church generally is considered beneficial to one’s military career; in the navy it is said to be virtually a requirement. However, in 2001 an ecumenical chapel was opened in the Investigative Police Academy and an Evangelical chaplain was appointed. Two ethics instructors at the academy are Evangelical. In

December 2001, for the first time, an Evangelical chaplain was appointed to the chapel located in the Presidential Palace La Moneda.

Religious instruction in public schools is almost exclusively Roman Catholic. Schools are required to offer religious education, on an optional basis, twice a week through middle school. It is mandatory to teach the creed requested by parents; however, enforcement is sometimes lax. Because local school administrations decide how funds are spent for religious instruction, instruction is predominantly in the Roman Catholic faith. The Education and Gospel Task Force in San Pedro de la Paz had to secure a court order to permit an Evangelical teacher to teach religion at the public school. Church leaders also report resistance by local school administrators to appointing evangelical religion teachers, based on other than economic considerations, in the Santiago suburbs of Quinta Normal and Puente Alto. There reportedly are instances in which local officials require that an evangelical religious instructor be certified by a Roman Catholic priest before being allowed to teach.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations between the country's religious communities are generally amicable; however, some discrimination and misunderstandings occur.

Ecumenical groups exist, although they often are formed on an ad hoc basis depending on the issue involved. All major faiths participated in a human rights "dialog table" led by the Defense Minister, which submitted a report to the Government in January 2000.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

U.S. Embassy representatives met with a wide variety of religious leaders, including Santiago's Archbishop and key representatives of Evangelical and Jewish organizations. Informal contact is maintained with representatives and leaders of several other faiths.

As appropriate embassy officials have cooperated on programs such as anti-drug efforts with church-affiliated groups and the B'nai B'rith.

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## COLOMBIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion; however, the Roman Catholic Church retains a de facto privileged status.

There was no change in the status of respect for religious freedom during the period covered by this report. Paramilitaries occasionally targeted representatives and members of religious organizations. The Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN) regularly targeted religious leaders and practitioners, killing, kidnapping, extorting, and inhibiting free religious expression. Illegal armed groups generally targeted religious leaders and practitioners for political, rather than religious, reasons; guerrillas committed the vast majority of these abuses.

Relations between the various faiths generally are amicable, although some indigenous leaders reportedly were intolerant of nonsyncretistic forms of worship.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 751,680 square miles, and its estimated population is 43,834,000. Although the Government does not keep official statistics on religious affiliation, a 2001 poll commissioned by the country's leading newspaper, *El Tiempo*, indicated that the country's population is 81 percent Roman Catholic. Of the remaining respondents, 10 percent identified themselves as "Christians" and 3.5 percent as "evangelicals." Another 1.9 percent professed no religious beliefs. According

to data provided by their respective national headquarters, the Seventh-Day Adventist Church, the Church of Jesus Christ of Latter-Day Saints (Mormons), and the Watchtower Bible and Tract Society (Jehovah's Witnesses) have 180,000, 130,000, and 110,000 members, respectively, totaling approximately 1 percent of the population. Other religious faiths and movements with a significant number of adherents in Colombia include Judaism, Islam, animism, and various syncretistic belief systems. An estimated 60 percent of respondents to the El Tiempo poll reported that they do not practice their faith actively.

Adherents of some religions are concentrated in specific geographic regions. For example, the vast majority of practitioners of a syncretistic religion that blends Roman Catholicism with elements of African animism are Afro-Colombians residing in the western department of Choco. Jews are concentrated in major cities, Muslims on the Caribbean coast, and adherents of indigenous animistic religions in remote, rural areas.

Jewish leaders estimate that as many as one-third of the country's small Jewish community had fled the country by the end of 2000. The principal causes of emigration included concerns about the growing numbers of murders, assaults, and kidnappings of Jewish business leaders, as well as economic problems caused by the country's recession.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Constitution specifically prohibits discrimination based on religion.

The law states that there is no official church or religion but adds that the State "is not atheist or agnostic, nor indifferent to Colombians' religious sentiment." Some observers have interpreted this to mean that the State unofficially sanctions a privileged position for the Roman Catholic Church, which was the country's official religion until the adoption of the 1991 Constitution. A 1973 concordat between the Vatican and the Government remains in effect, although some of its articles are now unenforceable because of constitutional provisions on freedom of religion. A 1994 Constitutional Court decision declared unconstitutional any official government reference to a religious characterization of the country.

The Government extends two different kinds of recognition to religious organizations: Recognition of the church as a legal entity (*personeria juridica*) and special public recognition. The Ministry of Interior readily grants the former recognition; its only legal requirements are submission of a formal request and elementary organizational information. In addition, any foreign religious faith that wishes to establish a presence in the country must document official recognition by authorities in its home country. The Ministry of Interior may reject requests that do not comply fully with established requirements or that violate fundamental constitutional rights.

Accession to a 1997 public law agreement between the State and non-Roman Catholic religions is required for such organizations to minister to their adherents through public institutions such as hospitals or prisons or to perform marriages recognized by the State. When deciding whether to grant accession to the 1997 agreement, the Government considers a religion's total membership, its degree of popular acceptance within society, and other relevant factors, such as the content of the organization's statutes and its required behavioral norms. As of the end of the period covered by this report, 12 nonRoman Catholic Christian churches had received this special status. No nonChristian religion is a signatory to the 1997 public law agreement. Many churches that are signatories to the agreement report that some local authorities have failed to comply with the accord. The Ministry of Interior has stated that it corrects local authorities when complaints of noncompliance are received. More than 40 churches have requested a new public law agreement that would have less exacting standards for recognition than the 1997 agreement. No progress was made toward a new agreement during the period covered by this report. Some prominent non-Christian religious groups, such as the Jewish community, have not requested special religious recognition.

The Ministry of Foreign Relations issues visas to foreign missionaries and religious administrators of denominations that have received special public recognition. Foreign missionaries are required to possess a special visa that is valid for a maximum of 2 years. Applicants must have a certificate issued by the Ministry of Interior confirming that the religion is registered with the Ministry, a certificate issued by the religious institution itself confirming the applicant's membership and explaining the purpose of the proposed travel, and proof of economic solvency. The Government permits proselytizing among the indigenous population, provided that

it is welcome and does not induce members of indigenous communities to adopt changes that endanger their survival on traditional lands.

The Constitution recognizes parents' right to choose the type of education their children receive, including religious instruction. It also states that no student shall be forced to receive religious education in public schools. However, the Roman Catholic Church and religious groups that have acceded to the 1997 public law agreement may provide religious instruction in public schools to students who wish to receive it. Religions without special recognition may establish parochial schools, provided that they comply with Education Ministry requirements. For example, the Jewish community operates its own schools.

The Catholic Church has a unique agreement with the Government to provide schools in rural areas that have no state-run schools. These schools are also tax exempt.

In April 2001, the Supreme Council of the Judiciary (CSJ) ruled that the Colombian Institute of Higher Education, which administers the country's college aptitude examination, must provide alternate examination dates for evangelicals whose beliefs preclude them from taking examinations on Sunday. In May 2002, the Constitutional Court ruled that university instructors may not force students to reveal their religious beliefs or require them to take courses that might obligate them to do so.

#### *Restrictions on Religious Freedom*

Although the 1991 Constitution mandated the separation of church and state, the Roman Catholic Church retains a de facto privileged status. Participation in the 1997 agreement is required for non-Catholic groups to minister to soldiers, public hospital patients, and prisoners, and to provide religious instruction in public schools. The State only recognizes marriages celebrated by non-Roman Catholic churches that are signatories to the 1997 public law agreement. A total of 12 non-Roman Catholic Christian churches have received this special status. Some signatories to the public law agreement have complained of discrimination at the local level, such as refusals by municipal authorities to recognize marriages performed by these churches. However, the Ministry of Interior states that it corrects local authorities when it receives such complaints.

All legally recognized churches, seminaries, monasteries, and convents are exempt from national and local taxes. Local governments also may exempt religiously affiliated organizations such as schools and libraries. However, in practice, local governments often exempt only organizations that are affiliated with the Roman Catholic Church. According to the Christian Union Movement (MUC), an association of non-Catholic Christian churches, only 10 municipalities exempt non-Catholic churches from taxes.

Due to threats from para-militaries or, more frequently, guerrillas, many religious authorities were forced to refrain from publicly discussing the country's internal conflict. Illegal armed groups, especially the FARC, threatened or attacked religious officials for opposing the recruitment of minors, promoting human rights, assisting internally displaced persons, and discouraging coca cultivation. The Bishops' Conference of the Roman Catholic Church also reported that paramilitaries and guerrillas issued death threats against rural priests who spoke out against them.

The FARC placed religious restrictions on persons living in its safe haven, or "despeje," that was granted by the Government in 1998 to facilitate peace negotiations. The despeje was abolished when peace talks broke off in February 2002. During the period covered by this report, the FARC continued to compel Roman Catholic and evangelical churches to pay "war taxes" levied in the former despeje and other regions under effective FARC control.

#### *Abuses of Religious Freedom*

There is no evidence that the 2000 killings of 14 persons, including 2 evangelical pastors, for which several marines were arrested, were religiously motivated. There is no evidence that the 1998 kidnaping and 1999 murder of Jewish business leader Benjamin Khoudari, for which an army colonel and an army sergeant remain on trial, was religiously motivated.

Illegal armed groups generally targeted religious leaders and practitioners for political, rather than religious, reasons. Paramilitaries occasionally targeted representatives and members of religious organizations. Guerrilla groups were responsible for the vast majority of such attacks and threats; the FARC and ELN regularly targeted religious leaders and practitioners, killing, kidnaping, extorting, and inhibiting free religious expression. The Human Rights Unit of the Prosecutor General's Office reported that it is investigating 42 crimes believed to have been religiously motivated.

The Bishops' Conference of the Roman Catholic Church reported that illegal armed groups killed 25 Catholic priests (including a bishop and an archbishop) between 1987 and mid-2002. Nearly all of the killings were attributed to leftist guerrillas, particularly the FARC. According to the Christian Union Movement (MUC), more than 77 Protestant pastors have been murdered in the last 2 1/2 years, including 14 killings between June and August 2002. Most of the latest killings occurred in the southwestern department of Cauca, a largely rural department dominated by the FARC. The FARC is believed to be responsible for 90 percent of the murders of Protestant pastors.

A suspect believed to be a member of the FARC was arrested and charged with the April 6, 2002, murder of Roman Catholic priest Juan Ramon Nunez in the town of La Argentina, department of Huila. Nunez was shot and killed as he distributed communion in the parish church.

On May 3, 2002, FARC forces engaged in combat with paramilitaries inaccurately fired gas cylinder bombs at the town of Bojaya, Choco department. One of the projectiles struck the town's main church, killing 119 civilians who had gathered inside for protection. There is no evidence that the church was targeted intentionally or that the assault was religiously motivated.

Unknown perpetrators killed a number of religious leaders.

For example, in January 2002, Roman Catholic priest Arley Arias Garcia, head of a local peace commission, was killed along with two assistants by members of an illegal armed group outside the town of Samana, in the department of Caldas. Investigating authorities have reached no firm conclusions regarding who was responsible for the killings, and have made no arrests.

On January 12, 2002, Father Guillermo Leon Corrales, a Roman Catholic priest living in the United States who was visiting his family in Medellin, was murdered in the town of La Estrella, department of Antioquia. Several years earlier Corrales had been threatened by members of a radical student organization at the Medellin high school where he taught. The Government's investigation of the case was ongoing at the end of the period covered by this report.

On March 16, 2002, Isaias Duarte Cancino, the Roman Catholic Archbishop of Cali, was killed as he left a church in Cali's Aguablanca neighborhood. Duarte, an outspoken critic of illegal armed groups and narco-trafficking, publicly had accused drug traffickers of underwriting several unnamed congressional campaigns. Police investigators suspect narcotraffickers of contracting the three hired killers who were under arrest for Duarte's murder, although some observers continue to speculate that the FARC was responsible for the crime. The investigation of Duarte's murder remains a high priority for law enforcement officials.

On June 27, 2002, hooded gunmen killed Roman Catholic priest Jose Hilario Arango, after he celebrated Mass in Cali. Police killed one of the gunman in a fire-fight following the murder. A second gunman remains at large. Arango was a strong critic of the FARC, which is suspected of his murder. The Government was investigating the case at the end of the period covered by this report.

On March 6, 2002, a suspect was sentenced to a 31-year prison term for the 1999 murders of Roman Catholic priest Jorge Luis Maza and Spanish aid worker Inigo Egiluz in the department of Choco. Nine alleged members of a paramilitary group arrested in connection with this crime subsequently were released for lack of evidence.

Religious leaders and practitioners were the targets of kidnaping, primarily by guerrilla groups.

On April 16, 2002, the AUC kidnaped seven Roman Catholic missionaries near the town of Santa Rosa, department of Bolivar. They were released the following day after convincing their captors that their mission was pastoral, rather than political. The Government's investigation of the case was ongoing at the end of the period covered by this report.

A preliminary investigation continues into the April 2002 kidnaping by the ELN of Roman Catholic priests Saulo Carreno and Teodoro Gonzalez near Saravena, department of Arauca. At the time, the two priests were accompanying the mayor of Saravena and other local government officials on a humanitarian mission. They were released a week later.

On April 28, 2002, the ELN kidnaped evangelical pastor Juan Carlos Villegas near the village of Aguas Frias, department of Antioquia. He was released 2 weeks later. The Government's investigation of the case was ongoing at the end of the period covered by this report.

In August 2001, the FARC released kidnaped evangelical pastor and radio network president Enrique Gomez.

The FARC has failed to account for the fate of three American missionaries from the New Tribes Mission kidnaped by FARC guerrillas across the Panamanian border in January 1993. The three men are presumed dead.

The Bishops' Conference of the Roman Catholic Church reported that 57 Catholic churches in 8 different departments had been seriously damaged or destroyed in the last decade, including 9 churches in the past 2 years. Roman Catholic churches generally are not attacked intentionally, but often are affected by guerrilla attacks on police stations and mayors' offices located near churches.

According to the MUC, as of August 2002, the FARC had forced the closures of more than 450 evangelical churches in the departments of Meta, Guajira, Tolima, Vaupes, Guainia, Guaviare, Vichada, Casanare, and Arauca. The FARC also extorted or forced the closure of rural evangelical schools. The MUC reported an overall increase in the number of kidnappings and extortions. Guerrillas continued to attack rural evangelical Christians and their churches, in the belief that the churches were fronts for U.S. Government activities. Mormon church leaders and facilities remained under threat for the same reason.

Some indigenous groups that practice animistic or syncretistic religions are harassed by guerrillas or paramilitaries. However, such harassment generally appears motivated by political or economic differences (whether real or perceived) or by questions of land ownership, rather than by religious concerns.

A small Taoist commune exists in a mountainous rural region of Santander department. Through its website, the community has asserted that it is harassed by government security forces. Government officials claim to have received reports that the commune holds residents there against their will. The number of residents of the commune is unknown, although it is accepted widely that many are foreigners. The community's insularity and isolation in a region with a significant guerrilla presence makes it difficult to gather accurate information on it.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among the various faiths generally are amicable. The Roman Catholic Church and some evangelical churches reported that some indigenous leaders were intolerant of nonsyncretistic forms of worship.

A number of faith-based nongovernmental organizations promote human rights, social and economic development, and a negotiated settlement to the country's armed conflict. The most influential of these organizations either are affiliated with the Roman Catholic Church or were founded by Church officials. The Church continues to be the only institutional presence in many rural areas, and conducts important social work through its Social Pastoral Agency.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy maintains regular contact with representatives of the Roman Catholic Church, other Christian denominations, and other religions, and discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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## COSTA RICA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Constitution establishes Roman Catholicism as the state religion. However, persons of all denominations freely practice their religion without government interference.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 19,652 square miles, and its population is approximately 3.82 million.

According to a November 2001 Demoscopia, Inc. poll, approximately 70 percent of the population are Catholic, and an estimated 19 percent belong to other Christian, non-Catholic churches. Approximately 1 percent of the population practiced non-Christian faiths and 10 percent practiced no religion at all. The 19 percent of the population that is Christian but not Catholic is divided among the mainstream Protestant denominations, such as the Methodist, Baptist, and Episcopalian churches, and also among the Church of Jesus Christ of Latter-Day Saints (Mormons), Jehovah's Witnesses, and Seventh-Day Adventists. A Mormon temple in San Jose serves as a regional worship center for Costa Rica, Panama, Nicaragua, and Honduras. Jehovah's Witnesses have a strong presence on the Caribbean coast and represent less than 1 percent of the population. Seventh-Day Adventists operate a university, attracting students from throughout the Caribbean basin. Non-Christian religions, including Judaism, Islam, Hare Krishna, and the Baha'i Faith, claim membership throughout the country with the majority of worshippers residing in the country's Central Valley.

The country's tradition of tolerance and professed pacifism has attracted many religious groups. The Jewish population constitutes less than 1 percent of the country's total; many of its members found refuge before and during the Second World War. The mountain community of Monteverde, a popular tourist destination, was founded during the Korean War by a group of Quakers from the United States, acting on their convictions as conscientious objectors. The country welcomed this community, as well as those of Mennonites, Beechy Amish, and other pacifist religious groups.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

The Constitution establishes Roman Catholicism as the state religion and requires that the State contribute to its maintenance; however, it also prohibits the State from impeding the free exercise of other religions that do not impugn universal morality or proper behavior. Members of all denominations freely practice their religion without government interference.

There is no general tax exoneration for the Catholic Church or any other church; there is an exoneration only for real estate that is used directly for worship by any religious organization. The blanket exoneration previously enjoyed by the Catholic Church was amended in 1992. The law allows for the Government to provide land to the Catholic Church. In some cases, the Government retains ownership of the land but grants the Church free use while, in other situations, property simply is donated to the Church. This second method commonly is used to provide land for the construction of local churches. These methods do not meet all needs of the Church, which also buys some land outright. Government-to-Church land transfers are not covered under any blanket legislation. Instead, they are handled by specific legislative action once or twice per year.

The Government does not inhibit the establishment of churches through taxes or special licensing for religious organization. However, churches must incorporate to have legal standing, like any other organization.

Although not mandatory, Catholic religious instruction is provided in the public schools. Students may obtain exemptions from this instruction with the permission of their parents. The school director, the student's parents, and the student's teacher agree on an alternative course of instruction for the exempted student during the time of the Catholic instruction. The exempted student is encouraged to remain on school grounds during this time. Religious education teachers in public schools must be certified by the Roman Catholic Church Conference, which does not certify teachers from other denominations or faiths. This certification is not required of public school educators who teach subjects other than religion. Denominational and non-denominational private schools are free to offer any religious instruction they choose.

The Government does not restrict the establishment of churches. New churches, primarily evangelical Protestant churches that are located in residential neighborhoods, occasionally have conflicts with local governments due to neighbors' complaints about noise and traffic. In contrast, established Catholic Churches often are built around a municipal square and rarely present such problems.

Despite the official status of the Catholic Church, the Constitution places strict limits on the involvement in politics of any clergy or layman motivated by religion.

Foreign missionaries and clergy of all denominations work and proselytize freely.

#### *Restrictions on Religious Freedoms*

Government policy and practice contributed to the generally free practice of religion.

The majority of state-run hospitals in the country have Catholic priests on staff who console sick and dying patients. However, Protestants and other non-Catholics have voiced concern that their clergy must follow routine administrative procedures for the general public to gain entrance into most hospitals. These routine administrative procedures may be strict and cumbersome. Some Protestant ministers have administrative agreements with hospitals that permit their uninhibited entrance; however, the hospital director may revoke these agreements at any time. At the end of the period covered by this report, a Protestant minister in the Legislative Assembly who represents the Renovation Party was drafting a bill that would sanction in law the rights of non-Catholic clergy to enter and work in hospitals to console sick and dying patients.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Amicable relations exist among members of the country's different religions, including religious minorities. The country has a history of tolerance.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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## CUBA

The Constitution recognizes the right of citizens to profess and practice any religious belief within the framework of respect for the law; however, in law and in practice, the Government places restrictions on freedom of religion.

There was no change in the status of respect for religious freedom during the period covered by this report. In general unregistered religious groups continued to experience varying degrees of official interference, harassment, and repression. Some unregistered religious groups were subject to official censure, and also faced pressures from registered religious groups. The Government's policy of permitting apolitical religious activity to take place in government-approved sites remained unchanged; however, citizens worshipping in officially sanctioned churches often were subject to surveillance by state security forces, and the Government's efforts to maintain a strong degree of control over religion continued.

The U.S. Government has raised issues of human rights, including religious discrimination and harassment, with government officials; however, the Cuban Government has dismissed these concerns. The U.S. Government continuously urges international pressure on the Government to cease its repressive practices. The U.S. Interests Section in Havana continues to maintain regular contact with various religious leaders.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 68,888 square miles, and its population is approximately 11 million. There is no independent authoritative source on the size or composition of religious institutions and their membership. A 1953 survey indicated that 93 percent of the population identified themselves as Roman Catholic. During the period covered by this report, approximately 40 to 45 percent of the population generally were believed to identify themselves, at least nominally, with the Roman Catholic Church, according to information from the U.S.-based Puebla Institute. A significant number of citizens share or have participated in syncretistic Afro-Caribbean beliefs, such as Santeria. Some sources estimate that as much as 70 percent

of the population practice Santeria or la regla lucumi, which have their roots in West African traditional religion.

The Baptists, represented in four different conventions, are possibly the largest Protestant denomination, followed closely by the Pentecostal churches, in particular the Assemblies of God. Twenty-five denominations recognized by the State, including Presbyterians, Episcopalians, and Methodists, are members of the Cuban Council of Churches (CCC). Another 24 officially recognized denominations, including Jehovah's Witnesses and the small Jewish community, do not belong to the CCC.

Although much of the population is nominally Roman Catholic, historically the country has been a largely secular society without an especially strong religious character. Catholic Church officials usually estimate that approximately 10 percent of baptized Catholics attend Mass regularly. Membership in Protestant churches is estimated at 500,000 persons. No figures on the number of Pentecostals are available, although the Seventh-Day Adventists have stated that their membership numbers are around 30,000 persons. Prior to 2001, church attendance had grown in some denominations, and increased substantially at Catholic Church services following the Pope's visit in 1998. However, both Catholic and Protestant leaders believe that church attendance peaked during 1999 and early 2000.

There are approximately 320 Catholic priests, 40 deacons, and 650 nuns in the country, less than half the total prior to 1960. Overall numbers of church officials are only slightly higher than before the Papal visit, since most new arrivals replaced retiring priests or those whose time of service in the country had ended.

Foreign missionary groups operate in the country through registered churches.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution recognizes the right of citizens to profess and practice any religious belief within the framework of respect for the law; however, in law and in practice, the Government places restrictions on freedom of religion. The Constitution has provided for the separation of church and state since the early 20th century. In 1992 the Constitution was changed and references to scientific materialism or atheism were removed. The Government does not favor any one particular religion or church; however, the Government appears to be most tolerant of those churches that maintain close relations to the State through the CCC.

The Government requires churches and other religious groups to register with the provincial Registry of Associations within the Ministry of Justice in order to obtain official recognition. Although no new denominations were registered during the period covered by this report, the Government has tolerated some new religions on the island, such as the Baha'i Faith. However, in practice the Government refuses to register most new denominations.

Along with recognized churches, the Roman Catholic humanitarian organization Caritas, the Masons, human rights groups, and a number of nascent fraternal or professional organizations are the only associations outside the control or influence of the State, the Communist Party, and their mass organizations. The authorities continued to ignore other religious groups' applications for legal recognition, thereby subjecting members of such groups to potential charges of illegal association.

The Government's main interaction with religious denominations is through the Office of Religious Affairs of the Cuban Communist Party. The Ministry of Interior still engages in efforts to control and monitor the country's religious institutions, including surveillance, infiltration, and harassment of religious professionals and laypersons.

The Government has relaxed restrictions on most officially recognized religious denominations. In 1999 the secretary general of the World Council of Churches officially visited the CCC, met with government officials, and presided in a religious ceremony in the First Presbyterian Church in Havana. Members of Jehovah's Witnesses, once considered "active religious enemies of the revolution," are allowed to proselytize quietly doortodoor and generally are not subject to overt government harassment, although there continued to be sporadic reports of harassment by local Communist Party and government officials. The Government has authorized small assemblies of Jehovah's Witnesses, the opening of a central office in Havana, and publication of the group's magazine and other religious tracts; these activities continued during the period covered by this report.

There is no restriction on the importation of religious literature and symbols, if imported by a registered religious group in accordance with proper importing procedures.

Since 1992 the Communist Party has admitted as members persons who openly declared their religious faith.

The Government allowed some foreign priests and nuns to enter the country; however, applications of 60 priests and 130 nuns remain pending. The Government allowed two new foreign priests from Paraguay, two priests from Spain, and another religious person to enter the country to replace other priests whose visas had expired. During 2001 a total of 10 visas were issued to other religious persons, including nuns.

#### *Restrictions on Religious Freedom*

The Marxist-Leninist ideology of the Government led to strong confrontations with institutional churches in the early 1960's. During that period, many church leaders and religious professionals left the country, fearing persecution. More than 130 Catholic religious workers, including priests, were expelled, and a few served long prison terms. From 1965-67 the Government forced many priests, pastors, and others "who made religion a way of life" into forced labor camps called military units to aid production (UMAPS), alongside homosexuals, vagrants, and others considered by the regime to be "social scum." The UMAP system ended in 1967. However, over the following 30 years, the Government and the Communist Party systematically discriminated against and marginalized persons who openly professed their faith by excluding them from certain jobs (such as teaching). Although the Government abandoned its official atheism in the early 1990's, most churches had been weakened seriously, and active participation in religious services had fallen drastically.

In early 2001, the Communist Party in Havana prepared a document criticizing inroads into society made by churches, particularly the Catholic Church, and suggested ways in which party officials could supercede the pastoral work of the church. This document stated that churches were asserting themselves into secular society by violating laws and regulations. The church activities criticized by the report included helping the sick and elderly.

The law allows for the construction of new churches, but requires churches to apply for permits to authorize such construction; however, the Government rarely has authorized construction permits, forcing many churches to seek permits to meet in private homes. Most registered churches are granted permission to hold services in private homes. Churches are allowed to reconstruct and repair existing churches; however, this also requires a permit. The process of obtaining a permit and purchasing construction materials from government outlets is a lengthy and expensive process.

In March 2001, the Italian news agency ANSA reported that provincial leaders of the Communist Party requested followers to ensure that the charitable work and donations provided by religious groups be limited. The party officials apparently believed that churches, especially the Catholic Church, had gained community support, which threatened the continued rule of the Communist Party, through such activities. Following the publication of the article, Communist Party leaders in Havana reportedly apologized to the Catholic Church hierarchy.

Following April 2000 complaints by the Pentecostals regarding unauthorized foreign missionaries (see Section III), the CCC has continued to request that overseas member church organizations assist them in controlling foreign missionaries and prohibiting them from establishing unauthorized Pentecostal churches.

Religious officials are allowed to visit prisoners; however, prison officials sometimes refuse visits to certain political prisoners. For a religious visit to take place, the prisoner must submit a written request, and the prison director must approve it. Prison officials allowed Dr. Oscar Elias Biscet to have two pastoral visits in 2001. In punishment cells, prisoners were denied access to reading materials, including Bibles.

The Government continued to enforce a regulation that prevents any Cuban or joint enterprise (except those with specific authorization) from selling computers, facsimile machines, photocopiers, or other equipment to any church at other than the official—and exorbitant—retail prices.

Members of the armed forces do not attend religious services in their uniform, probably to avoid possible reprimand by superiors.

Education is secular and no religious educational institutions are allowed. Religious instruction in public schools is not permitted. In the past, students who professed a belief in religion were stigmatized by other students and teachers and were disciplined formally for wearing crucifixes and for bringing Bibles or other religious materials to school. In some cases in the past, these students were prohibited from attending institutions of higher learning or from studying specific fields; however, recently students who profess a belief in religion commonly attend institutions of higher education.

Churches provide religious education classes to their members. Catholic Church officials report that the number of children attending catechism classes has continued to drop, mostly because of other scheduled activities, usually by local school authorities. There have been no reports of parents being restricted from teaching religion to their children.

Church officials have encountered cases of religious persons experiencing discrimination because of ignorance or personal prejudice by a local official. Religious persons do encounter employment problems in certain professions, such as education.

Religious groups are required to submit a request to the local ruling official of the Communist Party before being allowed to hold processions or events outside of religious buildings. In September 2001, local government authorities, for the fourth consecutive year, allowed the Catholic Church to hold an outdoor procession to mark the feast day of Our Lady of Charity in Havana. Prior to the event, security police ordered a number of human rights activists not to attend the procession. On September 8, thousands of persons attended the various Masses held throughout the day in honor of the Virgin of Charity, the patron saint of the imprisoned. There were smaller, local processions throughout the provinces during the period covered by this report.

#### *Abuses of Religious Freedom*

The Government monitors all religious groups, including registered and established institutions. The authorities also monitor church-run publications. Government harassment of private houses of worship continued, with evangelical denominations reporting evictions from houses used for those purposes. According to CCC officials, most of the private houses of worship closed were unregistered, making them technically illegal.

There were continued sporadic reports that local Communist Party and government officials harassed members of Jehovah's Witnesses; however, church officials reported that the number of such incidents has decreased.

There were some reports that state security officers detained laypersons in order to prevent them from attending Christmas processions. In July 2001, the Government detained a number of human rights activists to prevent them from participating in a Mass in memory of the victims of the 1994 sinking of the "13th of March" tugboat. The independent press agency Cuba-Verdad reported that after one of the afternoon Masses, a number of human rights activists led a peaceful march. Although present, state security agents did not intervene. However, on September 28, 2001, one of the organizers of the impromptu march, Carlos Alberto Dominguez, was detained briefly in his home and taken to the nearest police station; he was released without charge. Some persons who planned to participate in a religious procession reportedly were going to use the event to protest the continued imprisonment of political activists and other dissidents. State security officials visited some priests and pastors prior to significant religious events, ostensibly to warn them that dissidents are trying to "use the Church"; however, some critics claimed that these visits were done in an effort to foster mistrust between the churches and human rights or prodemocracy activists.

The Ministry of the Interior continued to engage in efforts to control and monitor religious activities, and to use surveillance, infiltration, and harassment against religious groups and religious professionals and lay persons.

In April 2000, a leading editor of one of the Catholic Church's magazines was criticized in a major editorial of the Communist Party's newspaper as a "known counter-revolutionary."

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Most persons largely define themselves as Roman Catholic, although few attend Mass regularly. Catholicism has remained a major cultural reference since colonial times. After 40 years of the current regime, societal attitudes, including those toward religion, are conditioned heavily by the attitude of Fidel Castro and the ruling regime. The Government's decision to allow, and even provide some support for, the 1998 Papal visit greatly boosted the public perception that espousing religious faith was again acceptable. Fidel Castro further cemented this view, most importantly among Communist Party adherents and government officials, in nationally televised

and broadcast speeches in which he claimed that the Cuban Revolution had “never” persecuted religious believers.

There were some tensions among religions, often because some religious groups perceived others to be too close to the Government. Tension within the Pentecostal movement continued to increase due to the establishment of house churches, which some churches believed was fractious, and resulted in Government action against Pentecostal worshippers. In addition, Pentecostal members of the CCC have complained that the preaching activities of unauthorized foreign missionaries has led some of their members of their churches to establish new denominations without obtaining the required permits (see Section II).

The CCC is the only ecumenical body that is recognized by the Government. It comprises many Protestant and Pentecostal denominations and engages in dialog with the Catholic Church and the Jewish community. The CCC and the Government generally have a mutually supportive relationship.

#### SECTION IV. U.S. GOVERNMENT POLICY

U.S. Government policy toward Cuba is to promote peaceful, democratic changes and respect for human rights, including religious freedom, and the U.S. Government encourages the development of civil society, which includes the strengthening of religious institutions. The U.S. Interests Section in Havana maintains regular contact with the various religious leaders and communities in the country, and supports nongovernmental organization initiatives that aid religious groups. The U.S. Government regularly seeks to facilitate the issuance of licenses for travel by religious persons and for donated goods and materials that in some cases are provided to religious institutions. The U.S. Interests Section has raised issues of human rights, including religious discrimination and harassment, with government officials; however, the Cuban Government has dismissed these concerns. The Interests Section reports on cases of religious discrimination and harassment, and the U.S. Government continuously urges international pressure on the Cuban Government to cease its repressive practices.

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## DOMINICA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among the religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 289 square miles, and its population is approximately 72,000. The dominant religion is Christianity, of which the Roman Catholic faith constitutes a substantial plurality. Over the last few years, there have been changes in the religious demographics of the country, with a substantial number of individuals joining Pentecostal churches. There are also Seventh-Day Adventist, Anglican, Methodist, Jehovah’s Witnesses, Baptist, Nazarian, Church of Christ, and Brethern Christian communities. The minority religions include Rastafarianism, the Baha’i Faith, and Islam.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution includes provisions against religious discrimination, which the authorities respect in practice.

The Government is secular, and does not interfere with the individual’s right to worship. Christian holy days such as Good Friday, Easter, Whit Monday, and Christmas are national holidays. The Government does not take any steps to promote interfaith understanding.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion. Members of the Rastafarian community have complained that law enforcement officials unfairly target them. However, it is not clear whether such complaints reflect discrimination on the basis of religious belief by authorities or simply enforcement of laws against marijuana, which is used as part of Rastafarian religious practice.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations between the various religious communities are generally amicable. The Dominica Christian Council and the Dominica Association of Evangelical Churches conduct activities to promote greater mutual understanding and tolerance among adherents of different denominations within the Christian faith.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government, local groups, and other organizations in the context of its overall dialog and policy of promoting human rights.

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**DOMINICAN REPUBLIC**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributes to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The Dominican Republic, which makes up two-thirds of the island of Hispanola, has a total area of approximately 16,435 square miles. According to the last official census in July 2000, the population was 8,442,533.

The major religious denomination is the Roman Catholic Church. Evangelical Christians (especially members of the Assemblies of God and the Church of God, Baptists, Methodists, and Pentecostals,) Seventh-Day Adventists, Jehovah's Witnesses, and the Church of Jesus Christ of Latter-Day Saints (Mormons) have a much smaller but generally growing presence. Jehovah's Witnesses have a large country headquarters, school, and assembly hall complex in the national district. There is a major Mormon temple in Santo Domingo with an associated administrative and educational facility. Many Catholics also practice a combination of Catholicism and Afro-Caribbean beliefs (santeria) or witchcraft (brujeria); however, because these practices rarely are admitted openly the number of practitioners is impossible to estimate. Judaism, Islam, and Buddhism are practiced. There are synagogues in the country; however, no rabbis at the end of the period covered by this report. There is a Muslim association called The Islamic Circle of the Dominican Republic, which is attempting to purchase property to build a mosque.

According to Demos 97, a population survey taken in 1997 by the Instituto de Estudios de Poblacion y Desarrollo, the population is 68.1 percent nominally Roman Catholic and 11 percent Protestant Christian, including Evangelicals, members of Jehovah's Witnesses, Mormons, and traditional Protestants. In the same study, 20.1 percent of the sample said they had no religion. Evangelical Christians claim 20 to 25 percent of the population as members; the Catholic Church claims 87 percent.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

There is no state religion. However, the Roman Catholic Church enjoys special privileges not extended to other religions. These include the use of public funds to underwrite some church expenses, such as rehabilitation of church facilities, and a complete waiver of customs duties when importing goods into the country. Religious groups are required to register with the Government to operate legally. Religious groups other than the Catholic Church must request exemptions from customs duties from the Office of the Presidency when importing goods. At times the process of requesting and being granted a tax exemption can be lengthy; some requests have been denied.

The Church of Jesus Christ of Latter-Day Saints and Jehovah's Witnesses report good relations with the Government. In 2000 the Mormons completed the construction of a major temple in Santo Domingo with an associated administrative and educational facility. The construction was completed without difficulty, and the temple serves as the regional temple for the entire Caribbean region.

*Restrictions on Religious Freedom*

The Government generally does not interfere with the practice of religion; however, attendance at Catholic Mass for members of the National Police is encouraged strongly, although they are allowed to practice their own faiths. The Catholic Cardinal in the country is the Army Chaplain for the armed forces and the National Police and holds the rank of Major General.

A 2000 law made Bible reading in public schools obligatory. Private schools are not obliged to include Bible reading as part of their weekly activities. Although some teachers voluntarily have conducted readings, the Secretariat of Education has not ordered the schools to force all teachers to comply.

Foreign missionaries are subject to no restrictions other than the same immigration laws that govern other foreign visitors. There have been no reports that the Government has ever used these laws to discriminate against missionaries of any religious affiliation. However, in practice the process of applying for and receiving residency status can be long and costly for denominations that bring many foreign missionaries, including groups that proselytize heavily, such as evangelical Protestant groups, Jehovah's Witnesses, and Mormons. The acquisition of resident status from immigration authorities requires an investment of approximately \$35,000 (RD\$ 577,500), which some groups find overly burdensome. The potential negative impact has been avoided only by the liberal use of administrative appeals.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of the forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations among different religious congregations are harmonious, and society generally is tolerant with respect to religious matters. However, there were occasional reports of religious discrimination by individuals.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**ECUADOR**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 109,500 square miles, and its population is estimated at 12,100,000. The General Registry of Religious Entities has registered 1,330 different religious groups, churches, societies, Christian fraternities, and foundations.

Together with the military and the Government, the Roman Catholic Church is viewed widely as one of the three pillars of society. The overwhelming majority of the population considers itself to be Roman Catholic, although many citizens do not practice the religion regularly, or instead follow a syncretistic version that combines indigenous beliefs with orthodox Catholic doctrine. For example, many indigenous people who live in the mountains follow a brand of Catholicism that combines indigenous beliefs with orthodox Catholic doctrine. Saints often are venerated in ways similar to the ways in which indigenous deities were venerated. In 2001 the Catholic Church had 1 Cardinal, 34 bishops, and 1,766 priests to minister in 1,200 parishes.

Some Christian, non-Catholic, multid denominational groups, such as the Gospel Missionary Union, the Christian and Missionary Alliance, and Hoy Cristo Jesus Bendice, have been active in the country for many years. Other active Protestant groups include the Evangelical Group, World Vision, and the Summer Institute of Linguistics, which operates in remote areas with the objective of translating the Bible into indigenous languages.

The combination of poverty, neglect, and syncretistic practices in urban and rural areas created conditions that were conducive to the spread of Protestant missionary and Pentecostal evangelical activity. Southern Baptists, the Church of Jesus Christ of Latter-Day Saints (Mormons), Jehovah's Witnesses, and Pentecostals have been successful in finding converts in different parts of the country, particularly among indigenous people in the Sierra provinces of Chimborazo and Pichincha, persons who practice syncretic religions, and groups that are marginalized by society.

The following faiths and denominations also are present in the country, but in relatively small numbers: Anglican, Assembly of God, Baha'i, Buddhist, Episcopalian, Hindu, Jewish, Lutheran, Muslim, Eastern Orthodox, Presbyterian, Rosicrucians, the Unification Church, and the Church of Scientology. Two relatively new groups are the Native American churches of Itzachilatan, whose adherents practice indigenous healing rites and nature worship, and the followers of Inti, the traditional Inca sun god. Atheists also exist.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. The Constitution grants all citizens and foreigners the right to practice the faith of their choice freely, in public or in private; the only limits are "those proscribed by law to protect and respect the diversity, plurality, security, and rights of others." The Constitution prohibits discrimination based on religion.

The Government does not require religious groups to be licensed or registered unless they engage in commercial activity. Requirements for registration are outlined in "The Regulation of Religious Groups" of 2000. These requirements include: Non-profit status; information on the nationality and residence of group leaders; and the names used by the group, to ensure that names of previously registered groups are not used without their permission. Any religious group wishing to register with the Government must file a petition with the Ministry of Government and provide documentation through a licensed attorney.

At the political level, the Government retains strong ties to the Vatican; the Papal Nuncio is the customary dean of the diplomatic corps.

The Government permits missionary activity and religious demonstrations by all religions.

The Government does not permit religious instruction in public schools; private schools have complete liberty to provide religious instruction, as do parents in the home. There are no restrictions on publishing religious materials in any language.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to return to the United States.

## SECTION III. SOCIETAL ATTITUDES

Although relations between religious communities generally have been amicable, there have been a few incidents of interreligious or intrareligious tension or violence during periods prior to that covered by this report.

In general religious tensions tend to be intrareligious and largely stem from power struggles and personality differences.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

**EL SALVADOR**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. The Constitution specifically recognizes the Roman Catholic Church and grants it legal status.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 8,108 square miles and its population is over 6 million.

The country is predominantly Roman Catholic. According to a 1995 survey by the Central American University Public Opinion Institute, approximately 56.7 percent of the population were members of the Roman Catholic Church. Additionally, 17.8 percent were members of Protestant churches, 2.3 percent were associated with other churches and religious groups, and 23.2 percent were not affiliated with any church or religion. Outside of the Catholic and Protestant churches, there are small communities representing the Church of Jesus Christ of Latter Day Saints (Mormons), Seventh-Day Adventist, Baptist, Jewish, and Muslim faiths, among others. A very small segment of the population practices a native religion. The predominance of the Catholic Church does not impact negatively on the religious freedom of other denominations. Several Protestant missionary groups are active in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Constitution specifically recognizes the Roman Catholic Church and grants it legal status. In addition, the Constitution provides that other churches may register for such status in accordance with the law. The Civil Code specifies that a church must apply for formal recognition through the General Office of Non-Profit Associations and Foundations (DGFASFL) within the Ministry of Governance. Each church must present a constitution and bylaws that describe, among other things, the type of organization, location of offices, goals and principles, requirements for

membership, type and function of ruling bodies, and assessments or dues. The DGFASFL must determine that the constitution and bylaws do not violate the law before it can certify a church. Once certified, the church must publish the DGFASFL approval and its constitution and bylaws in the official government gazette.

In 1997 the Government implemented a 1996 law that charges the Ministry of Interior (which has since merged into the Ministry of Governance) with registering, regulating, and overseeing the finances of nongovernmental organizations (NGO's) and nonCatholic churches in the country. The law specifically exempts unions, cooperatives, and the Catholic Church. There have been no allegations that churches encountered problems in obtaining registration.

The regulations implementing the tax law grant recognized churches' tax-exempt status. The regulations also make donations to recognized churches tax-deductible.

The Constitution states that all persons are equal before the law and prohibits discrimination based on nationality, race, sex, or religion.

Non-Salvadoran nationals seeking to promote actively a church or religion must obtain a special residence visa for religious activities. Visitors to the country are not allowed to proselytize while in the country on a visitor or tourist visa. There were no allegations during the period covered by this report of difficulties in obtaining visas for religious activities.

Public education is secular. Private religious schools operate in the country. All private schools, whether religious or secular, must meet the same standards in order to be approved by the Ministry of Education.

The Constitution requires the President, cabinet ministers and vice ministers, Supreme Court justices, magistrates, the Attorney General, the Public Defender, and other senior government officials to be laypersons. However, there is no such requirement for election to the National Legislative Assembly or municipal government offices.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to the free practice of religion. The National Conference of Churches (CNI), an interfaith organization created to promote religious tolerance and to coordinate a church-sponsored social program, has been inactive for more than a year.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Government maintains a regular dialog with the principal religious leaders, church officers, church-sponsored universities, and NGO's.

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## GRENADA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

Grenada and 2 smaller islands, Carriacou and Petit Martinique, has a total area of 133 square miles, and a population of approximately 98,000. The population is of African, East Indian, and European descent. Approximately 90,000 persons live on the island of Grenada, 7,000 live on Carriacou and 900 on Petit Martinique. Roman Catholics account for an estimated 64 percent of the population, Anglicans account for 22 percent, Methodists are 3 percent, and Seventh-Day Adventists represent approximately 3 percent. Additional denominations include the Presbyterians, Church of God, Baptists, Pentecostals, and others. All the major religious denominations are represented in most towns and villages.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Government is secular and does not interfere with an individual's right to worship. Most government officials are Christian and Christian holy days, such as Good Friday, Whit Monday, and Christmas, are national holidays. The Government does not take any particular steps to promote interfaith understanding.

The Constitution prohibits discrimination based on race, place of origin, political opinion, color, creed, or sex, and the Government generally adheres to these provisions.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations between the various religious communities are generally amicable. There are no known activities to promote greater mutual understanding and tolerance among adherents of different religions.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Embassy representatives discussed issues or events involving religious freedom with government officials when soliciting support for international organization resolutions regarding broader human rights concerns.

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**GUATEMALA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report. Government policy continued to contribute to the generally free practice of religion; however, the Government has not implemented provisions of the Peace Accords regarding the rights of indigenous people that protect the exercise of indigenous religious beliefs and practices.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 41,699 square miles, and its population is approximately 12 million. While no definitive census data are available, the U.N. estimates that the country's indigenous population is 55 to 60 percent of the total population.

Historically, the country has been an overwhelmingly Catholic country. However, in recent decades, evangelical Protestant groups have gained a significant number of members. Although there is no accurate census of religious affiliation, some sources estimate that between 50 and 60 percent of the population are Catholic and approximately 40 percent are Protestant, primarily evangelical. Leaders of Maya spiritual organizations maintain that 40 to 50 percent of the population practice some form of indigenous spiritual ritual, but that only about 10 percent do so openly. Other religious groups are represented, including the Church of Jesus Christ of Latter-Day Saints (Mormons), Jehovah's Witnesses, small communities of Jews, Muslims, and followers of Indian spiritual leader Sri Sathya Sai Baba. Although many persons nominally affiliated with Catholicism or a Protestant denomination do not actively practice their religion, few citizens consider themselves atheists. There are no accurate statistics on church attendance, although various sources report that it is very high in the evangelical community and somewhat lower in the Catholic community.

The largest Protestant denomination is the Assembly of God, followed by the Church of God of the Complete Gospel, and the Prince of Peace Church. There are numerous other Protestant denominations represented, some specific to Central America and others, such as Presbyterians, Baptists, Lutherans, and Episcopalians, which are represented worldwide.

Protestant churches historically have been less tolerant of syncretistic practices than the Catholic Church, whose current policy is to accept any pre-Columbian or traditional practices that are not in direct conflict with Catholic dogma. Some observers maintain that a majority of the indigenous members of evangelical churches secretly practice traditional Maya rituals.

Catholic and Protestant churches are distributed throughout the country, and their adherents are distributed among all major ethnic groups and political parties. However, evangelical Protestants appear to be represented in greater proportion in the Guatemalan Republican Front (FRG), which became the governing party when it won the presidency and a majority in Congress in the 1999 elections. Former de facto President and retired General Efraín Ríos Montt heads the FRG and serves as President of Congress; he is a longtime elder of the evangelical Protestant Church of the Word.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government has not implemented the 1995 Agreement on the Identity and Rights of Indigenous Peoples, which provides for the respect of spiritual rights of indigenous people. The Agreement calls for Congress to pass legislation to amend the Constitution in order to "recognize, respect, and protect the distinct forms of spirituality practiced by the Maya, Garifuna, and Xinka" groups. While the previous Congress passed a law containing 50 proposed constitutional amendments, including this one, the package was defeated in a 1999 popular referendum, and no further efforts have been made to amend the Constitution. In April 2002, on the seventh anniversary of the signing of the Accord, the U.N. Verification Mission noted that there had been little progress in its implementation. There is no state religion; however, the Constitution recognizes explicitly the separate legal personality of the Catholic Church.

The Government does not establish requirements for the recognition of religions. Members of a religion need not register simply in order to worship together. However, the Government does require religious congregations as well as other nonreligious associations and nongovernmental organizations (NGO's) to register as legal entities in order to be able to transact business. Such legal recognition is necessary, among other things, for a congregation to be able to rent or purchase premises, enter into contracts, and enjoy tax-exempt status. The Government does not charge religious groups a registration fee.

The Catholic Church does not have to register as a legal entity. For non-Catholic congregations, the process for establishing a legal personality is relatively straightforward, and the requirements do not vary from one denomination to another. A congregation must file a copy of its bylaws and a list of its initial membership with the Ministry of Government. The congregation must have at least 25 initial mem-

bers, and the bylaws must reflect that the congregation intends to pursue religious or spiritual purposes. Applications are rejected only if the organization does not appear to be devoted to a religious purpose, appears to be in pursuit of illegal activities, or engages in activities that appear likely to threaten the public order. There were no reports that the Government rejected any group's application during the period covered by this report.

Foreign missionaries are required to obtain a missionary visa, which is issued for a period of up to 1 year and is renewable. Such visas require a sponsor who is able and willing to assume financial responsibility for the missionary while he or she is in the country. With a missionary visa, foreign missionaries may engage in all lawful activities, including proselytizing.

The Government does not subsidize religious groups directly. However, some sources report that the Government occasionally provides financial assistance to private schools established by religious organizations. The Constitution permits religious instruction in public schools, although public schools are not required to provide such instruction. There is no national framework for determining the nature or content of religious instruction in public schools. Accordingly, when provided, such instruction tends to be programmed at the local level.

The Government does not have any organized programs to promote interfaith understanding or dialog. Nonetheless, the Government has sought the support of diverse religious groups for passage of legal statutes on the rights of children and with implementation of health and literacy programs for children. For a number of churches, such public service projects are the only forum for interaction with adherents of other faiths.

#### *Restrictions on Religious Freedom*

While there is no government policy of discrimination, a lack of resources and political will to enforce existing laws and to implement the Peace Accords limits the free expression of indigenous religious practice. Indigenous leaders note that Maya culture does not receive the official recognition that it is due. The Government has not provided mechanisms for free access to ceremonial sites considered sacred within indigenous culture, nor has the Government provided for the preservation or protection of such ceremonial sites as archaeological preserves. The Government's use of sacred sites as revenue-generating tourist destinations is considered by some indigenous groups to be an affront to their spiritual rights. However, in October 2001, the Government swore in the Commission for the Definition of Sacred Places to address such issues.

#### *Abuses of Religious Freedom*

Multiple appeals remained pending in the June 2001 trial and conviction of three military officers and an assistant priest for the 1998 murder of Bishop Juan Gerardi, the Coordinator of the Archbishop's Office on Human Rights.

There were multiple reports of intimidation and threats perpetrated by unknown individuals against members of the Catholic Church who work in the area of human rights. For example, in February 2002, a Catholic church in Nebaj, Quiche, was burned to the ground. Fire department officials concluded that the fire was set deliberately. In April 2002, Rigoberto Perez, priest of the Nebaj parish, received threatening telephone calls. Perez had been involved actively with local teams of forensic anthropologists who were conducting exhumations of mass graves left during the armed conflict, and who also were victims of threats. In February and March 2002, Alvaro Ramazinni, Bishop of San Marcos, and Juan Aldaz, a parish priest, received death threats due to their involvement with a local campesino group who had occupied farms in the area. In March 2002, the Bishop's office also was raided. In May 2002, members of the Archbishop's Office on Human Rights received intimidating letters and threatening telephone calls. In addition, armed men accosted two lay employees. However, there was no evidence that such threats were motivated by the victims' religious faith or practice.

There were no reports of religious prisoners or detainees. However, there were credible reports that agents of Military Intelligence continue to monitor the activities of religious leaders.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations between the various religious communities are generally amicable, if distant. According to members of the Catholic, evangelical Protestant, and Jewish communities, complaints of discrimination on the basis of religion are rare. However, widespread intolerance of the free practice of traditional indigenous religious rituals was reported. A 2002 study by the Ecumenical Forum for Peace and Reconciliation found that in isolated lynching cases, evangelical pastors have encouraged such activities against those who practice traditional beliefs.

Although indigenous Guatemalans outnumber the westernized “Ladino” community, they historically have been dominated by the Ladinos and generally excluded from the mainstream of social, economic, and political activity. The Ladino community long has regarded indigenous people with disdain. Reports of discrimination against indigenous religious practices must be viewed in the context of this widespread Ladino rejection of indigenous culture.

Within the Jewish community, there were virtually no encounters with anti-Semitism. However, a leader of the Jewish community reported that Jews do not feel that they are seen to be fully Guatemalan by their compatriots of other faiths.

Maya religious leaders note widespread disagreements with evangelical Protestants, and to a lesser extent, Catholics. Protestant churches historically have been less tolerant of indigenous practices than the Catholic Church, whose practice in many areas of the country is to accept pre-Columbian or traditional practices that are not in conflict with Catholic dogma. While a large number of members of evangelical congregations are indigenous, local evangelical leaders often describe traditional religious practices as “witchcraft” or “devil worship,” and actively discourage their indigenous members from becoming involved with traditional religious practices.

There is a split among evangelical Protestant churches between a majority group, which strongly opposes ecumenical engagement with other churches or religious traditions, and a minority group, which actively promotes an ecumenical and multicultural vision. Within the former organization, groups that engage with practitioners of other faiths are asked to renounce their status as evangelical churches within the organization and are given the status of public service agencies instead.

The ecumenical movement is weak. However, in April 2002, the Ecumenical Forum for Peace and Reconciliation, a coalition primarily made up of Catholic and Evangelical churches originally formed to assist in the negotiation of the Peace Accords, announced its intent to begin monitoring government efforts to fulfill the Accords, particularly that on Identity and Rights of Indigenous Peoples. The Ecumenical Forum sponsored public conferences and debates on this topic throughout the country.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Embassy officials at various levels, including the Ambassador, met on many occasions with leaders of major religious institutions within the country as well as religious-based NGO's. The United States Agency for International Development (USAID) is working closely with Maya spiritual leaders in conducting community mental health projects linked to the exhumations of mass graves created during the internal conflict. USAID also supports bilingual education for indigenous children, which is based on the Maya worldview, including core spiritual values. The Public Affairs Section of the Embassy has promoted dialog between leaders of Maya and Ladino groups within civil society and within diverse religious communities. The Public Affairs Section also has sponsored ecumenical events focused on the role of religion in the construction of peace.

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**GUYANA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

Despite ethnic tensions, the generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 82,980 square miles, and its population is approximately 700,000. The country is very religiously and ethnically diverse. Nearly half of the population traces its ancestry to the Indian subcontinent, and more than one-third of the population is of African descent. These two major ethnicities, along with smaller groups of native South Americans and persons of European and Chinese descent, practice a wide variety of religions.

Approximately 50 percent of the population are either practicing or nominal Christians—of these roughly one-third are Anglicans, one-quarter are Roman Catholics, and one-quarter are Pentecostals and Baptists; there are smaller percentages of Methodists, Presbyterians, SeventhDay Adventists, Lutherans, Mormons, and members of Jehovah's Witnesses. Practicing or nominal Hindus constitute approximately 33 percent of the population, and Muslims (both Sunni and Shi'a) constitute about 15 percent. There are also a small number of Baha'is. Although not included in official figures, substantial numbers of persons practice Rastafarianism or a traditional Caribbean religion known locally as "Obeah," either apart from or in conjunction with the practice of other faiths. Members of all ethnic groups are well represented in all religions, with two exceptions: almost all Hindus are Indo-Guyanese, while nearly all Rastafarians are Afro-Guyanese.

There are foreign missionaries from a wide variety of denominations in the country.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

Members of all faiths are allowed to worship freely. There is no state or otherwise dominant religion, and the Government practices no form of religious favoritism or discrimination.

Both public and religiously affiliated schools exist, and parents are free to send their children to the schools of their choice without sanction or restriction. The Government makes no requirements regarding religion for any official or nonofficial purposes.

The Government has promoted cooperation among religious communities as a means of addressing long-standing racial tensions.

##### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

##### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### SECTION III. SOCIETAL ATTITUDES

Relations between the country's diverse religious communities are amicable. Although significant problems exist between the country's two main ethnic groups, religious leaders have worked together frequently to attempt to bridge these gaps.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government, local groups, and other organizations in the context of its overall dialog and policy of promoting human rights. The Ambassador and other embassy officials met on numerous occasions with the leaders of religious denominations and with foreign missionaries. The Embassy pursues a policy of active engagement with the Islamic community. The Ambassador spoke before various religious groups promoting religious and racial harmony during the period covered by this report.

## HAITI

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 10,714 square miles and shares the Caribbean island of Hispaniola with the Dominican Republic. Its 2001 estimated population was 8.2 million.

While precise statistics are unavailable, it is estimated that approximately 80 percent of citizens are Roman Catholic. Most of the remainder belong to a variety of Protestant denominations. The largest of these are Baptist (10 percent) and Pentecostal (4 percent). Other significant non-Catholic Christian groups include Methodists, Episcopalians, Adventists, and Greek and Russian Orthodox. There also are many non-denominational Christian congregations. The percentage of Protestants generally is acknowledged to be growing, but reliable statistics are unavailable. Jehovah's Witnesses and the Church of Jesus Christ of Latter-Day Saints (Mormons) also are present in the country. Small numbers of non-Christian groups are present, including Jews, Muslims, Rastafarians, and Baha'is. Voodoo (also spelled vodou), a traditional religion derived in part from West African beliefs, is practiced alongside Christianity by a large segment of the population. On April 30, 2001, the Ministry of Religion officially recognized the first voodoo church, the *Eglise Vodou d'Ayiti* (Voodoo Church of Haiti). Its goal is to move the practice of voodoo from autonomous, decentralized peristyles (churches) into a hierarchical, unified church with standardized texts and practices. Adherence to the "*Eglise Vodou d'Ayiti*" is growing.

Missionary groups operate hospitals, orphanages, schools, and clinics throughout the country. Many foreign missionaries are affiliated with U.S.-based denominations or individual churches. Others are independent, non-denominational Christian groups. U.S. churches often send teams to the country on short-term projects. Some of these projects involve humanitarian or educational work, while others are purely evangelical in nature.

Some Protestant and Catholic clergy are active in politics. The Director General of the Office of Religious Affairs, a part of the Ministry of Foreign Affairs and Cults, is a Roman Catholic priest. A Protestant pastor leads a political party, Christian Movement for a New Haiti (MOCHRENA). Several Catholic priests are among the leadership of the Fanmi Lavalas (FL) party of President Jean Bertrand Aristide, who is himself a former priest. The Conference of Catholic Bishops (CEH) occasionally issues statements on political matters and, along with the Protestant Federation, has been an active participant in the 2-year search for a solution to the political impasse between the ruling FL and the opposition. From May 11 to 12, 2002, the country's Catholic and Protestant churches organized a "weekend of prayer" to end the political crisis, with other members of civil society participating. The CEH and the Papal Nuncio increasingly have become active participants in the 2-year search for a solution to the political impasse between the ruling FL and the opposition. For example, on June 15, 2002, CEH president Bishop Hubert Constant and the Papal Nuncio arranged and hosted a key meeting between President Aristide and the opposition. Constant and CEH vice-president Archbishop Guy Poulard publicly commented on the political crisis and on the responsibilities of the country's politicians.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for the right to practice all religions and faiths, provided that practices do not disturb law and order, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Constitution grants freedom of religion and directs the establishment of laws to regulate the recognition and operation of religious groups. The Ministry of Reli-

gious Affairs administers the relevant laws and is responsible for registering churches, clergy, and missionaries. Recognition by the Ministry affords religious groups standing in legal disputes, protects churches' tax-exempt status, and extends civil recognition to church documents such as marriage and baptismal certificates. Registered religious groups are required to submit an annual report of their activities to the Ministry. Although many non-denominational Christian groups and voodoo practitioners have not sought official recognition, there were no reports of any instance in which this requirement has hampered the operation of a religious group. Goods brought into the country for use by churches and missionaries registered with the Department of Revenue are exempted from customs duties, and registered churches are not taxed. Some church organizations have complained that custom officials sometimes refused to honor a church's tax-exempt status; however, it appeared that these refusals generally were attempts by corrupt officials to extort bribes rather than an attempt to limit religious practices.

For many years, Roman Catholicism was the official religion of the country. While its official status ended with the enactment of the 1987 Constitution, neither the Government nor the Holy See has renounced the 1860 Concordat, which continues to serve as the basis for relations between the Roman Catholic Church and the State and the operation of Catholic religious orders in the country. In many respects, Roman Catholicism retains its traditional primacy among the country's religions. Functions with an official or quasi-official character are held in Catholic churches and cathedrals, and certain Catholic holy days are observed officially as national holidays. However, in the past several years, the Government has recognized the growing role of Protestant churches, for example, by inviting their clergy when the churches are asked to play an advisory role in politics. On March 31, 2002, President Aristide broke with long-standing tradition and celebrated Easter Sunday in a Protestant church. Although government officials said the controversial decision to choose a Protestant church over a Catholic one was personal, previous Presidents always celebrated Easter in a Catholic church.

Foreign missionaries operate freely. They enter on regular tourist visas and submit paperwork similar to that submitted by domestic religious groups in order to register with the Ministry of Religious Affairs. While some missionaries were concerned by the slowness of the Government to issue them residence permits, there was no indication that such delay was due to deliberate harassment on the part of the authorities.

The Constitution stipulates that persons cannot be required to join an organization or receive religious instruction contrary to their convictions. This is accepted to mean, among other things, that in parochial schools run by the Catholic Church or one of the Protestant denominations, the school authorities may not permit proselytization on behalf of the church with which the school is affiliated. Parents have been quick to complain and publicize the isolated instances in which this principle has been violated.

Only 15 percent of the country's schools are public. In some of these, Catholic and other clergy play a role in teaching and administration. This is regulated by local authorities on an ad hoc basis. Church-run schools and hospitals are subject to oversight by the Ministries of Education and Health, respectively.

The Government does not interfere with the operation of radio and other media affiliated with religious groups. In addition to the many radio stations operated by religious (mostly Protestant and evangelical) groups, religious programming is a staple of commercial broadcasting.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Religion plays a prominent role in society. Many citizens display a keen interest in religious matters, and freely express their personal religious beliefs or affiliation. While society generally is tolerant of the variety of religious practices that flourish in the country, Christian attitudes toward voodoo vary. Many Christians accept voodoo as part of the country's cultural patrimony, but others regard it as incompatible with Christianity, and this has led to isolated instances of conflict in the recent

past. The Ministry of Religious Affairs has been managed effectively periodic tension between some Protestant and voodoo groups. The Ministry maintains offices in the central, north, and south areas of the country. Tensions between Protestant and voodoo groups are local in nature and usually involve land disputes and conflicts over proselytizing. In some cases, the Ministry sends representatives to assist local authorities in settling such conflicts. Parties to these local conflicts usually accept the Ministry's mediating role.

Ecumenical organizations exist. Interfaith cooperation is perhaps most effective in the National Federation of Private Schools.

Particularly in rural areas, accusations of sorcery have been known to lead to mob violence resulting in deaths. Women generally are targeted in these cases, which usually are precipitated by the death of a child by unknown causes. Given the prevalence of voodoo in rural areas, it appears likely that voodoo practitioners are targeted in some of these cases.

Voodoo practitioners sometimes have complained that societal attitudes against them disadvantage their opportunities for advancement. However, there was no independent confirmation of these claims.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy representatives routinely meet with representative religious leaders and the Ministry of Religious Affairs. The consular section of the U.S. Embassy in Port-au-Prince is responsive to the concerns of American missionaries. The Ambassador hosts periodic meetings with U.S. missionaries in provincial cities.

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## HONDURAS

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 43,278 square miles, and its total population is approximately 6.5 million. An estimated 90 percent of the country's population is mestizo (mixed Amerindian and European), with small numbers of Amerindians, and persons of European, African, and Asian descent, making up the rest.

There are no reliable government statistics on the distribution of membership in churches. The Catholic Church reports a total membership of just over 80 percent of the population.

In January 2002, the Le Vote company conducted personal interviews on religious issues with persons age 18 or older in 1,215 households throughout the country. The company reported that 63 percent of the respondents identified themselves as Catholics, 23 percent as evangelical Christians, and 14 percent identified themselves as "other" or provided no answer. The principal faiths include Roman Catholicism, Judaism, the Greek Orthodox rite, the Episcopal Church, the Lutheran Church, Jehovah's Witnesses, the Mennonite Church, the Church of Jesus Christ of Latter-Day Saints (Mormons), the Union Church, and some 300 evangelical Protestant churches, the most prominent of which include the Abundant Life, Living Love, and Grand Commission churches. The National Association of Evangelical Pastors represents the evangelical leadership.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

There is no state religion. However, the armed forces have an official Roman Catholic patron saint. The Government consults with the Roman Catholic Church, and occasionally appoints Catholic leaders to quasi-official commissions on key issues of mutual concern, such as anticorruption initiatives.

The Constitution grants the President the power to grant "juridical personality" to associations, including churches. This personality is a prerequisite to being accorded certain rights and privileges, such as tax exemption. Associations are required to submit an application describing their internal organization, bylaws, and goals to the Ministry of Government and Justice. In the case of evangelical churches, the application then is referred to a group of leaders from the Evangelical Fraternity of Churches for review. This group has the power to suggest, but not require, changes. All religious applications also are referred to the State Solicitor's Office for a legal opinion that all elements meet constitutional requirements. Applications almost always meet these requirements. The President ultimately signs the approved resolutions granting juridical personality. The Ministry of Government and Justice did not turn down any applications for juridical personality on behalf of a church during the period covered by this report. The Catholic Church and other recognized churches are accorded tax exemptions and waivers of customs duty on imports.

The Government requires foreign missionaries to obtain permits to enter and reside in the country. A Honduran institution or individual must sponsor a missionary's application for residency, which is submitted to the Ministry of Government and Justice. The Ministry generally grants such permits; the resolution granting residency then is registered with the Directorate General of Population and Migration Policy.

There are religious schools and schools operated by churches; they receive no special treatment from the Government, nor do they face any restrictions.

The law allows deportation of foreigners who practice witchcraft or religious fraud.

The Catholic Church is seeking the return of former properties of historic interest confiscated by the Government at independence in 1825; however, the Church has not made a formal request to the Government. In 2001 the Government returned one historic church property, and returned several stolen colonial religious articles after confiscating them from a collector who was selling them illegally.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

In September 2000, the Congress adopted a controversial measure requiring that, beginning in 2001, all school classes begin with 10 minutes of readings from the Bible; however, the legislation has not been put into effect.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations between the principal religious communities are amicable. The Catholic Church has designated the Archbishop of Tegucigalpa as the national-level official in charge of ecumenical relations, and the Archbishop has established an ecumenical and interreligious dialog section within his Archdiocese.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy also maintains a regular dialog with religious leaders, church-sponsored universities, and nongovernmental religious organizations.

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## JAMAICA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report. Members of the Rastafarian community have complained

that law enforcement officials unfairly target them; however, it is not clear whether such complaints reflect discrimination on the basis of religious belief or are due to the group's illegal use of marijuana, which is used as part of Rastafarian religious practice.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 4,243 square miles, and its population is approximately 2,652,700.

According to official government statistics compiled during the 1991 census (the latest available figures), 21 percent of the population identify themselves as members of the Church of God, 9 percent as Seventh-Day Adventists, 9 percent as Baptist, 8 percent as Pentecostal, 6 percent as Anglican, 4 percent as Roman Catholic, 3 percent as United Church, 3 percent as Methodist, 2 percent as members of Jehovah's Witnesses, 1 percent as Moravian, 1 percent as Bretheren, 1 percent unstated, and 9 percent as "other." The category "other" includes Hindus, Jews (of whom there are approximately 300), and Rastafarians. There are an estimated 5,000 Muslims. Of those surveyed, 24 percent stated that they had no religious affiliation. The majority of those who reported no religion were children.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state or dominant religion.

Legal recognition of a religion is facilitated by an act of Parliament, which may act freely to recognize a religious group. Recognized religious groups receive tax-exempt status and other attendant rights, such as the right of prison visits by clergy.

Rastafarianism is not a recognized religion under the law. In 1983 Rastafarians unsuccessfully lobbied for recognition by Parliament. In 1995 the Church of Haile Selassie I (a Rastafarian church) lobbied Parliament for recognition. Parliament still was considering that petition at the end of the period covered by this report. The Public Defender's office, a commission of Parliament which handles cases for individuals who have had their constitutional rights violated, has brought a case to the Constitutional Court to gain government support of Rastafarianism as a religion. The case was before the court at the end of the period covered by this report. The Public Defender's Office believes that the court's recognition that Rastafarianism fills several criteria for a religion may help the group gain recognition and various rights. Rastafarians believe that the August 2001 recommendation by a government-chartered independent commission to decriminalize the use of marijuana as a religious sacrament indicates increased tolerance for their religious practices.

There are religious schools; they are not subject to any special restrictions and do not receive any special treatment from the Government. Foreign missionaries are subject to no restrictions other than the same immigration laws that govern other foreign visitors.

Ash Wednesday, Good Friday, Easter Monday, and Christmas are national holidays. These holidays do not adversely affect any religious groups.

On May 3, 2002, Governor-General Sir Howard Cooke, a lay Protestant preacher, donned a Kufi (ceremonial cap worn by Muslim men) and attended prayers at the Masjid-as-Salam Mosque, one of Kingston's three Islamic houses of worship. Sir Howard promoted interfaith understanding, stressing in his remarks to members of the Muslim community that the world's religions have more in common than that which divides them. Following press coverage of the event, a Christian pastor publicly objected to the Governor-General's statement that "all of us worship the same god."

##### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion; however, members of the Rastafarian community have complained that law enforcement officials unfairly target them.

##### *Abuses of Religious Freedom*

Members of the Rastafarian community have complained that law enforcement officials unfairly target them; however, it is not clear whether such complaints reflect discrimination on the basis of religious belief or are due to the group's illegal use

of marijuana, which is used as part of Rastafarian religious practice. It is alleged that the police force Rastafarian detainees to cut their hair and surreptitiously give them food that they are forbidden to eat. Rastafarians have no right to prison visits by Rastafarian clergy.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments In Respect For Religious Freedom*

On August 30, 2001, the Public Defender's Office filed a lawsuit against the Government on behalf of a Rastafarian prisoner who charged that he was denied the right to worship. The prisoner claimed that he has no rights to the ministrations by clergy afforded to prisoners of other religions, and that he was denied use of the prison chapel for a Rastafarian baptism. The Church of Haile Selassie I also was named as an applicant on the grounds that its right to minister to a congregation was denied. The Commissioner of Corrections and Attorney General were named as respondents in the suit, which had not come before the Constitutional Court by the end of the period covered by this report.

### SECTION III. SOCIETAL ATTITUDES

The country has a well-established tradition of religious tolerance and diversity. Relations among the various religious communities are generally amicable. However, members of the Rastafarian community reported isolated incidents of discrimination against them in schools and the workplace.

On March 23, 2002, Minister Louis Farrakhan, leader of the U.S.-based Nation of Islam, attended a service in the country's only Jewish synagogue, Shaare Shalom, in Kingston. It was the first time the 90-year-old house of worship had hosted a Muslim leader. He met with leaders of the local Jewish community in an attempt to repair strained relations. Farrakhan presented the synagogue president with a Koran. On May 3, 2002, synagogue leaders paid a return visit, attending prayer services with the local Nation of Islam representative at the Muhammad Mosque Jamaica in Kingston.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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## MEXICO

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there are some restrictions at the local level.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy contributed to the generally free practice of religion. The Government continued to strengthen efforts to promote interfaith understanding and dialog, and to mediate cases of religious intolerance.

A generally amicable relationship among the various religions in society contributed to religious freedom; however, in some parts of southern Mexico, political, cultural, and religious tensions continued to limit the free practice of religion within some communities. Most such incidents occurred in the state of Chiapas.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 1,220,663 square miles, and its population is approximately 97.48 million.

According to the 2000 census conducted by the National Institute of Statistics, Geography, and Computation (INEGI), approximately 87.99 percent of the respondents identified themselves at least nominally as Roman Catholic. There are an estimated 11,000 Roman Catholic churches, and 14,000 ordained Catholic priests and nuns. An additional estimated 90,000 laypersons work in the Catholic Church system.

Other religious categories enumerated in the 2000 census are: Pentecostal and Neopentecostal evangelicals at approximately 1.62 percent; other Protestant Evangelical groups, approximately 2.87 percent; members of Jehovah's Witnesses, approximately 1.25 percent; "historical" Protestants, approximately 0.71 percent; Seventh-Day Adventists, approximately 0.58 percent; Church of Jesus Christ of Latter-Day Saints (Mormons), approximately 0.25 percent; Jewish, approximately 0.05 percent; and other religions, approximately 0.31 percent. Press reports have estimated that there are more than 5,000 Protestant churches and 7,000 pastors.

There is no single definitive source on the size of each Protestant denomination. A January 2000 press report indicated that Presbyterians account for 1 percent of the total population; Anglicans, 0.1 percent; Baptists, 0.1 percent; Lutherans, 0.01 percent; and Methodists, 0.04 percent. Official figures sometimes differed from the membership numbers offered by religious groups. For example, the Seventh-Day Adventist Church claims a nationwide membership of 600,000 to 700,000 persons; however, according to the 2000 census, only 488,945 persons identified themselves as such. Likewise, some Protestant evangelical groups claim that their coreligionists constitute close to 60 percent of the population in Chiapas state; however, according to the 2000 census, only 21.9 percent of respondents in Chiapas identify themselves as Protestant.

According to statistics from the Secretariat of Government's Under Secretariat of Religious Affairs, 56,108 individuals registered with the government as ministers between November 1992 and July 2001. Ministers are defined in this context as any person to whom a registered religious organization has conferred the title. Of those 56,108, 19,195 are non-Protestant Christian, 36,776 are Protestant evangelical, and 137 are non-Christian.

In the 2000 census, approximately 3.53 percent of respondents indicated "no religion," and 0.85 percent did not specify a religion.

Of the 5,953 religious associations registered with the Federal Government, 52.58 percent are Protestant evangelical and 47.02 percent are non-Protestant Christian, including Roman Catholic, Greek Orthodox, and Russian Orthodox. Non-Christian organizations represent 0.4 percent of all associations registered. A wide variety of Christian foreign missionary groups operate in the country.

The non-Catholic Christian population is concentrated primarily in the south. According to INEGI figures, Chiapas state, with approximately 4 percent of the country's population, has the largest non-Catholic population at 36.2 percent, compared to the national average of approximately 12 percent. The state of Tabasco's non-Catholics represent approximately 29.6 percent of state residents, followed by Campeche state at approximately 28.7 percent, and Quintana Roo state at approximately 26.8 percent.

There is a small population of Muslims in the city of Torreon, Coahuila, and a group of approximately 300 in the San Cristobal de las Casas area in Chiapas.

In early 2002, a Roman Catholic church official in Chiapas told the press that some 12 percent of that state's residents identified themselves as "non-believers," with 64 percent of the state's residents identifying as Roman Catholic and 22 percent as Protestant evangelical. In indigenous communities in Chiapas, the residents identifying themselves as Roman Catholic is even lower, according to one press report. A December 2001 article reported that in the Chol area, only 56.3 percent identify themselves as Roman Catholic, in the Tzeltal, 54.7 percent, and in the Tzotzil, 51.9 percent.

Some indigenous people in the states of Chiapas, Oaxaca, and Yucatan practice a syncretistic religion that mixes Catholic and pre-Hispanic Mayan religious beliefs.

In some communities, especially in the south, there is a correlation between political party and religion. Furthermore, whatever their political affiliations, local leaders often are reported to manipulate religious tensions in their communities for their own political or economic benefit (see Sections II and III).

According to news reports in 2000, approximately 55 percent of persons surveyed attend religious ceremonies at least once a week; 19 percent, once a month; and 20 percent, less than once a month.

There are a number of foreign religious workers present in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there are some restrictions. State and municipal governments generally protect this right; however, some local officials infringe on religious freedom, especially in the south.

The Constitution states that everyone is free to profess their chosen religious belief and to practice the ceremonies and acts of worship of their respective belief. Congress may not enact laws that establish or prohibit any religion. The Constitution also provides for the separation of church and state. The 1992 Law on Religious Associations and Public Worship defines the administrative remedies that protect the right to religious freedom. In August 2001, a provision was added to the Constitution that establishes for the first time a constitutional prohibition against any form of discrimination, including discrimination against persons on the basis of religion.

Religious associations must register with the Under Secretariat of Religious Affairs of the Federal Secretariat of Government (SSAR) to operate legally. Although the Government rejects applications because of incomplete documentation, the registration process is routine. An estimated 5,871 religious associations are registered. During the period covered by this report, the SSAR registered 17 associations. In addition, 116 applications either awaited further supporting documentation or were not in compliance with registration criteria at the end of the period covered by this report.

To be registered as a religious association, a group must articulate its fundamental doctrines and religious beliefs, must not be organized primarily to make money, and must not promote acts physically harmful or dangerous to its members. Religious groups must be registered to apply for official building permits, to receive tax exemptions, and to hold religious meetings outside of their places of worship.

The SSAR promotes religious tolerance and investigates cases of religious intolerance. All religious associations have equal access to the SSAR for registering complaints. SSAR officials generally are responsive and helpful in mediating disputes among communities. When parties present a religious dispute to the SSAR, it attempts to mediate a solution acceptable to all. If mediation fails, the parties may submit the problem to the SSAR for binding arbitration. If the parties do not agree to submit to binding arbitration, one or the other may elect to resort to judicial redress. Destruction of property or causing physical harm to other persons are criminal acts and prosecutable under the law. Municipal and state officials generally are responsive and helpful in mediating disputes among communities. However, when a mediated solution cannot be found, officials have not always been aggressive in pursuing legal remedies against local leaders (see Section III).

The SSAR investigated 31 cases during 2001 and another 10 during the first half of 2002 and reportedly resolved 23 cases. Five states, mostly in the south, have their own under secretaries for religious affairs.

The existing situation of religious freedom reflects the historic tensions between the Roman Catholic Church and the modern state. Consequently, severe restrictions on the rights of the Church and members of the clergy were written into the country's present Constitution. In 1992 the Government reestablished diplomatic relations with the Holy See and lifted almost all restrictions on the Catholic Church. This latter action included granting all religious groups legal status, conceding them limited property rights, and lifting restrictions on the number of priests in the country. However, the law continues to mandate a strict separation of church and state.

The Constitution provides that education should avoid privileges of religion. Religious instruction is prohibited in public schools; however, religious associations are free to maintain their own private schools, which receive no public funds. Primary level home schooling for religious reasons is not prohibited explicitly nor supported by the law; however, to continue on to a secondary school, one must attend an accredited primary school. The law does not prohibit secondary level home schooling.

Religious associations must notify the Government of their intent to hold a religious meeting outside of a licensed place of worship. The Government received 7,572 such notifications during 2001 and the first half of 2002. On March 31, 2002, thousands of Protestant evangelicals met, reportedly for the fifth consecutive year, in Mexico City's main square to celebrate their faith. The Mexico City government contributed medical services, public restrooms, and security for the event.

The Government requires religious groups to apply for a permit to construct new buildings or to convert existing buildings into new churches. The Government granted permits for 726 buildings between June 1, 2001 and May 31, 2002, the most recent period for which statistics are available. In the cases of 576 pending applications, the SSAR has requested additional information. The information required ranges from technical data about the building in question, to proof that a building's owner consents to its conversion into a religious facility. Religious groups report no difficulty in obtaining government permission for these activities.

Since assuming office in December 2001, the Secretary of Government has engaged in dialog with representatives from various religions to discuss issues of mutual concern. An Interfaith Council includes official representatives from the Angli-

can, Catholic, Greek Orthodox, Mormon, Lutheran, Protestant, Buddhist, Hindu, Jewish, Sikh Dharma, and Sufi Islam communities.

Of nine official holidays, two are associated with Christian religious events (Good Friday and Christmas Day). In addition, most employers give holiday leave on Holy Thursday, All Soul's Day, Virgin of Guadalupe Day, and Christmas Eve.

#### *Restrictions on Religious Freedom*

The Constitution bars members of the clergy from holding public office, advocating partisan political views, supporting political candidates, or opposing the laws or institutions of the State.

To visit the country for religious purposes, foreign religious workers must secure government permission. The federal Government limits the number of visas each religious group is allowed. However, the Government has granted 33,930 such visas since 1994, including 5,796 between June 1, 2001 and May 15, 2002.

By law religious associations may not own or administer broadcast radio or television stations; however, the Catholic Church owns and operates a national cable television channel. Government permission is required to transmit religious programming on broadcast radio or television, and permission is granted routinely. Between June 1, 2001, and May 15, 2002, the authorities approved 11,706 transmissions.

In 2001 there were reports that municipal officials in Chiapas had suspended Protestant evangelical radio programs, including those of the Adventist Church, on technical and administrative grounds. In April 2002, Adventist officials reported that the problem had been resolved, and that radio programs were broadcasting again.

In January 2002, the National Human Rights Commission (CNDH), called for the state of Zacatecas to reinstate two students, both members of Jehovah's Witnesses, who refused to salute the national flag and for an administrative investigation into the conduct of school director who attempted to prevent their registration.

Any building for religious purposes constructed pursuant to a permit after 1992 is the property of the religious association that built it. All religious buildings erected before 1992 are "national patrimony" and owned by the State. According to Secretariat of Government statistics, there were 90,879 buildings dedicated to religious activities as of July 31, 2001. Of those, 80,846 were property of the State, and 10,033 belonged to religious associations.

#### *Abuses of Religious Freedom*

In parts of Chiapas, local leaders of indigenous communities sometimes regard evangelical groups and Catholic lay catechists as unwelcome outside influences and potential economic and political threats. While religious differences often were a prominent feature of such incidents, ethnic differences, land disputes, and struggles over local political and economic power were very often the underlying causes of the problems. As a result, these leaders sometimes acquiesced in, or ordered, the harassment or expulsion of individuals belonging primarily, but not exclusively, to Protestant evangelical groups. In past years, expulsions involved the burning of homes and crops, beatings, and, occasionally, killings. However, there were no killings reported during the period covered by this report. On several occasions, village officials temporarily detained evangelicals for resisting participation in community festivals.

The Chiapas-based Evangelical Commission for the Defense of Human Rights (CEDEH) claims that municipal authorities have expelled 30,000 persons from their communities in the last 30 years, at least partly on religious grounds. However, this report was not corroborated, and a representative from the CNDH told the press that there are no official statistics on the displaced.

In February 2001, local leaders had expelled 150 Protestant evangelicals from their homes in Justo Sierra, Chiapas and beat several men, according to the CEDEH. The expelled families belonged largely to the Pentecostal and Seventh-Day Adventist churches, but there was also one Catholic family among them, ordered out for defending the evangelicals. The group filed a formal complaint with the state prosecutor's office in Comitán, and in June 2001, state judicial police arrested three community officials. The 27 families sought refuge in the municipal capital of Las Margaritas until the conflict was resolved in November 2001. According to the CEDEH, the issue was resolved through dialog and written agreements, with Chiapas State Governor Salazar serving as mediator. On November 24, 2001, the individuals returned to their community accompanied by the Governor. The three town leaders jailed after the expulsions also were allowed to return to Justo Sierra.

In April 2001, in the community of San Nicolas, Ixmiquilpan municipality, Hidalgo, water services had been cut off to more than 30 Protestant evangelical fami-

lies. A local official also threatened the families with expulsion. The SSAR mediated community meetings throughout the months of May through August 2001, and the dispute finally was resolved on August 22, 2001. Water service was restored to the families, and both parties signed a mutual respect agreement that the Hidalgo State Governor and the Under Secretary for Religious Affairs, Javier Moctezuma Barragan, witnessed. The agreement was tested on August 26, when the town organized a work day for the community, which drew the full participation of local citizens. Press reports at the time attributed the change in attitude of the local leader partly to pressure exerted by state and federal government officials. To celebrate the solution to the threatened expulsions, on August 30, 2001, 20 evangelical churches in the area held a united thanksgiving service in the Bethel Church in Ixmiquilpan.

Adventist church members in Ixmiquilpan reported a separate case of intolerance in November 2001, when a group of some 30 individuals accosted an Adventist group worshipping in their church. The church was still under construction, and all of the necessary permits were in place, yet the group of assailants insisted that the construction be halted and physically and verbally harassed the worshipers. The Adventists sought assistance through the state and municipal governments. This report could not be confirmed.

In December 2001, in Plan Agua Prieta, in the municipality of Las Margaritas, Chiapas, local leaders reportedly detained four Protestant men for 4 hours for "not respecting community norms." The men later were released. In February 2002, five Protestant evangelical families in the community charged that traditionalist Catholic neighbors threatened to expel them from their homes. On February 15, with the intervention of municipal officials and local Roman Catholic leaders, community members reconciled and signed a pact of "non-aggression."

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

During the period covered by this report, the Government continued to strengthen efforts to promote interfaith understanding. It sponsored new programs and coordinated interfaith dialog.

The SSAR, in conjunction with the State of Chiapas, sponsored the translation and dissemination of the Law on Religious Associations and Public Worship in four indigenous languages: Chol, Tzotzil, Tzeltal, and Tojolabal. One thousand copies were produced in each of the languages. The goal of the project was to provide information to indigenous communities—where many of the incidents of religious intolerance occur—about the responsibilities and rights in the area of religious freedom provided for in the Constitution and the law. The SSAR and the State of Chiapas also produced indigenous language brochures on "Tolerance" in each of the four indigenous languages (2,500 copies each in Chol and Tojolabal, and 5,000 copies each in Tzotzil and Tzeltal.)

Between July 2001 and April 2002, the SSAR organized seven workshops in the states of Guerrero, Tabasco, and Veracruz for public officials, religious leaders, and academics. The workshops focused on the legislative framework for religious affairs. Government officials also participated in six national and international conferences related to religious freedom, including a seminar organized by the National Autonomous University of Mexico entitled: "Ten Years of the Law on Religious Associations and Public Worship." The 10-year anniversary of this law provoked wide discussion within the country's religious community about its effectiveness, and the areas in which reforms may be needed. The topic was a major agenda item at the April 2002 meeting of the country's Conference of Catholic Bishops. The Secretariat of Government was an active participant in the national debate about the law during the period covered by this report. The press reported that Under Secretary for Religious Affairs Moctezuma Barragan said that the conditions were in place for a possible revision of the law, and that "all topics are open for public discussion," including the topic of religious education in public schools.

On November 16, 2001, the Secretariat of Government organized an event to celebrate the U.N. International Day of Tolerance. Representatives from 15 religious groups attended, as well as officials from the CNDH, the National Indigenous Institute (INI), and the U.N. Secretary of Government Santiago Creel, and Under Secretary Moctezuma Barragan addressed the group. The message of the event (the importance of religious tolerance and harmony) received wide media attention, and the SSAR concurrently launched a nation-wide radio campaign.

Also during the period covered by this report, the SSAR financially assisted a research project by the State of Chiapas, to understand better the situation regarding religious diversity and tolerance in that state. State officials also are preparing a text, entitled "Boys, Girls and Tolerance," which is expected to be mandatory in all Chiapas classrooms when completed. A text for first and second grade classrooms has been completed, and its introduction as a pilot program is planned.

The SSAR also is cooperating with the CNDH and the INI to increase tolerance among communities in the south. On June 13, 2001, these three agencies signed an agreement to cooperate on public education, diagnostic studies on religious disputes, and training and awareness-raising workshops. The organizations held a workshop on religious freedom in Veracruz, and planned several others for 2002.

In San Cristobal de las Casas, Chiapas, foreign visitors continue to be able to arrange their immigration status easily. The social and political situation in Chiapas remains tense, and the Bishop of San Cristobal is active in promoting interfaith understanding in the region. On September 8, 2001, indigenous community members of different religions participated in a first-ever ecumenical celebration to pray for reconciliation in the municipality of San Cristobal. Roman Catholic and Protestant evangelical indigenous worshipers, together with Protestant pastors and Roman Catholic Bishop Felipe Arizmendi gathered in the courtyard of a school in Ejido Pueblo to pray and sing. Bishop Arizmendi reportedly asked for forgiveness for the offenses that Catholics had committed against their evangelical neighbors, and asked Protestants to do the same. In January 2002, community members in Tila, Chiapas, signed a reconciliation agreement to put an end to the "politicalreligious" clashes of the region. The parties pledged to recognize and apply the Constitution, which provides for ideological and religious freedom. Chiapas Governor Salazar was a participant in the meeting when the agreement was signed.

### SECTION III. SOCIETAL ATTITUDES

There are generally amicable relations among the various religions; however, there is religious intolerance in, and expulsions from, certain indigenous communities, particularly those in Chiapas, whose residents follow syncretistic (Catholic/Mayan) religious practices (see Section II). Competition for adherents has contributed to tension among various religious groups, particularly in the South. Syncretistic practices are not merely an extension of religious belief, but also the basis for the social and cultural life of the community. Therefore, other religious practices are perceived as different and strange, and also are seen as threats to indigenous culture. Endemic poverty, land tenure disputes, and lack of educational opportunities also contribute to tensions in many of these communities. This tension at times has resulted in violence. In some southern indigenous communities, abandoning syncretistic practices for Protestant beliefs is perceived as a threat to the unique identity of that community.

In parts of Chiapas, local leaders of indigenous communities sometimes acquiesced in, or ordered, the harassment or expulsion of individuals belonging primarily, but not exclusively, to Protestant evangelical groups (see Section II). Abuses related to these incidents apparently did not occur solely on the basis of religion. While religious differences often were a prominent feature of such incidents, ethnic differences, land disputes, and struggles over local political and economic power very often were the underlying causes of the problems. The most common incidents of intolerance arose in connection with traditional community celebrations. Protestant evangelicals often resist making financial donations demanded by community norms that will go partly to local celebrations of Catholic religious holidays, and resist participating in festivals involving alcohol.

There were a number of cases of religious intolerance caused by societal attitudes during the period covered by this report, the majority of which occurred in Chiapas. Tensions continued in San Juan Chamula, where approximately 130 children of Protestant evangelicals reportedly have been denied access to the local public schools in 6 communities every year since 1994. On May 1, 2002, approximately 20 Protestant evangelical Tzotzil community members, along with 2 National Action Party (PAN) council members, were harassed and detained by local leaders on charges of "religious and political intolerance." On May 6, in the community of Botatulan, six members of the Jehovah's Witness church were reputedly stopped by local leaders who demanded 5,000 pesos in return for releasing them. These detentions have not been verified. In addition, local traditionalist/syncretist leaders in San Juan Chamula suspended services by Roman Catholic clergy in the municipality and later expelled two priests and a deacon from the area. On May 8, police arrested a Roman Catholic teacher after discovering a cache of arms and explosives in his cottage in San Juan Chamula. A Roman Catholic vicar in the community

charged that Protestant leaders planted the weapons. The discord between traditionalist/syncretists, Protestant, and Roman Catholic believers continued at the end of the period covered by this report. According to a Protestant representative of the group "Alas de Aguila," these incidents are "provoked by economic or political interests of local leaders in Chamula, more than by the supposed violation by evangelicals of traditional uses and customs of the traditional Chamula church."

On September 10, 2001, a disturbance broke out between traditionalist/syncretist Catholic and Protestant evangelical community members in Mitzinton, Chiapas, after traditionalist community members attempted to coerce three evangelical community members to sign a document committing them to leave their community "voluntarily." Upon learning of this, a group of evangelicals gathered in the town center to defend their three neighbors, and when confronted by a group of traditionalists, a disturbance ensued, in which 10 persons were injured. The state police sent 50 agents to prevent further disturbances. On March 4, 2002, traditionalists burned the houses of 4 evangelical families in Mitzinton, where some 30 persons lived. One of the houses also reportedly had 17 bullet marks in it. Two hundred Protestant evangelicals left the community in March, in response to threats of expulsion, but returned on April 3 despite fear of further threats. Protestant community members have been dissatisfied with the government response to the incidents. The State Attorney General's office has initiated an investigation.

In February 2002, traditionalist Catholic community members in the community of San Juan Metaltepec Mixes, Oaxaca, expelled a group of 20 Protestant evangelical families for their religious beliefs. This report could not be verified.

Following complaints from neighboring communities that the opening of an Adventist church in Francisco I. Madero, Tecpatan municipality, would violate local "uses and customs," in March 2001, Francisco I. Madero residents requested local government assistance in relieving tension among the communities and convincing the neighboring communities of the Adventists' right to use their place of worship. In March 2001, the municipal mayor convened a meeting with all parties involved as well as a Chiapas government representative of the SSAR. No progress was made, and the SSAR requested that the Chiapas Secretariat of Public Security take precautionary measures to avoid further confrontations. By the end of the period covered by this report, the SSAR had not received complaints from any of the parties involved. Despite an agreement among the parties that the church could reopen, it had not done so by the end of the period covered by this report.

The situation in Plan de Ayala, where syncretist Catholics expelled 29 Protestant evangelical families and destroyed 14 of their homes in July 2000, remained stable. The families have returned with the assistance of local government authorities, although some tensions remain.

Government officials, the national human rights ombudsman, and interfaith groups are conducting discussions about incidents of intolerance in some parts of the south, to promote social peace.

The Biblical Society of Mexico, directed by Abner Lopez Perez, announced the conclusion of a 15-year project to translate the Bible into the Tzotzil language, a language used by more than 100,000 indigenous Mexicans. According to Lopez, 4 translators and 200 religious leaders from various parts of San Juan Chamula, Chiapas, participated in this effort. The project also translated the Bible into Tzeltl.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Throughout the period covered by this report, Embassy staff met with government officials, staff of nongovernmental organizations, and members of religious groups to discuss and raise religious freedom issues.

Embassy staff participated in the Secretariat of Government's celebration of the International Day of Tolerance in November 2001, and met with officials in the Subsecretariat for Religious Affairs within the Secretariat of Government to discuss religious freedom. On trips outside of Mexico City, Embassy staff met religious leaders including the current and past Bishops of San Cristobal de las Casas, and leaders of the Chiapas-based Buen Samaritano Evangeli Group. In April 2002, a representative from the Office of International Religious Freedom, accompanied by Embassy officials, met with several religious leaders and government officials in Mexico City and the state of Chiapas, including the current and past Bishops of San Cristobal de las Casas and Chiapas state authorities. The Embassy was in contact with the CNDH, the president of the Evangelical Commission in Defense of Human Rights and the Mexican Episcopal Conference (Roman Catholic Bishops' Conference) to discuss religious freedom issues. Embassy staff also visited officials of the Seventh-Day

Adventist Church and representatives of U.S. faith-based organizations in Mexico City to become familiar with their concerns.

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## NICARAGUA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributes to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has an area of 49,997.8 square miles, and its population is approximately 4.8 million. Over 90 percent of the population belong to one of the Christian denominations. According to the most recent census, conducted in 1995, 72.9 percent of the population were members of the Roman Catholic Church, 15.1 percent were members of evangelical churches, 1.5 percent were members of the Moravian Church, and 0.1 percent were members of the Episcopal Church. An additional 1.9 percent were associated with other churches or religious groups, including the Church of Jesus Christ of Latter-Day Saints (Mormons), Amish and Mennonite communities, and Jehovah's Witnesses. Some 8.5 percent professed no religious affiliation or were atheistic. Some more recent church figures differ from the official census information; for example, the Episcopal Church claims a membership of nearly twice the census figure, and the evangelical churches also have made credible claims of higher current membership.

The total number of citizens who practice a religion other than Christianity is extremely small. There are small communities of non-Christians, including a small Jewish community of fewer than 50 persons that gathers for religious holidays and Shabbat dinners but does not have an ordained rabbi or a synagogue.

There is a small number of Muslims as well—primarily resident aliens, or naturalized Nicaraguans from Iran, Libya, and Palestine who immigrated to Nicaragua in the 1980's—but there is no mosque.

Minority religions also include the Unification Church, the Baha'i Faith, and the Church of Scientology. Although these religions are perceived as foreign, the Government neither monitors them nor alerts the public to their presence.

Other immigrant groups include the "Turcos"—Palestinian Christians whose ancestors came to Central America in the early 1900's, and the Chinese, who either arrived as Christians or converted to Christianity, and intermarried frequently with native Nicaraguans.

There are no longer any pre-Colombian religions in the country, although there is a "freedom movement" within some Moravian churches to allow indigenous Amerindian spiritual expression, often through music. The Catholic Church is the most syncretistic of the denominations and does not criticize or interfere with non-Christian aspects of religious festivals held in its name. For example, each August up to 30,000 persons—many of them painted red or coated in motor oil—gather to carry "Dominguito," a sacred 10-inch statue of Saint Dominic, from his home church in a suburb of Managua to another church downtown. A week later the revelers reconvene to carry the statue back. Such events have historical roots that go back to pre-Colombian times.

Geographically Moravian and Episcopal communities are concentrated on the Atlantic coast, while Catholicism and evangelical churches dominate the Pacific and central regions. There is a strong correlation between ethnicity and religion: blacks and Amerindians, generally from the Atlantic coast, are more likely to belong to the Moravian or Episcopal Church. Some evangelical churches have focused on the booming, remote towns of the central South Atlantic Region and have a strong presence there.

The evangelical churches are growing rapidly, especially in poor or remote areas. For example, in 1980 the Assemblies of God had 80 churches and fewer than 5,000 members. According to church leader Saturnino Cerato, as of May 2001, there were 730 churches and approximately 124,000 baptized members.

Anecdotal evidence points to proportionally higher church attendance among members of the new evangelical churches than among members of the Catholic and traditional Protestant churches. In the poorer neighborhoods, the small evangelical churches are filled to capacity nearly every evening. According to a Catholic Church official, the Catholic Church is growing numerically but losing ground proportionally.

Foreign missionaries operate in the country. The Mormons have 178 missionaries, the Unification Church has 6 families of missionaries, and nearly all of the non-Catholic denominations have at least 1 missionary family in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution also states that no one “shall be obligated by coercive measures to declare their ideology or beliefs.” The Constitution prohibits discrimination on the basis of religion.

The Roman Catholic Church is not an official state religion; however, it enjoys a close relationship with the secular Government. The Roman Catholic Church is the most politically active religious denomination and has significant political influence. Catholic Church leaders routinely meet with senior government officials; there are allegations that state funds have been used to support church-related activities that are purely religious in nature. However, the Administration of President Enrique Bolanos has been more distant with the Church hierarchy than was the previous administration. The historical position of the Church is such that most religiously affiliated monuments and memorials are Catholic-related. However, the predominance of the Catholic Church does not have a negative effect on the religious freedom of others.

The Government’s requirements for legal recognition of a church are similar to its requirements for other nongovernmental organizations (NGO’s). A church must apply for “Personeria Juridica” (legal standing), which must be approved by the National Assembly. Following Assembly approval, a church must register with the Ministry of Government as an association or a foundation.

A recognized church may be granted tax-exempt status, known as exoneration. Exoneration is a contentious issue, in particular with regard to exemption from customs duties on imported goods donated for humanitarian purposes. Goods donated to established churches and other nonprofit religious organizations recognized by the Government that are intended for the exclusive use of the church or organization are eligible for exoneration from duties. Groups must receive clearance from the Office of External Cooperation, the Ministry of Finance, the Customs Office, and the municipality in which the donated goods would be used before a tax exemption is approved and the goods released.

A number of churches and other nonprofit religious organizations, including the Lutheran Church, the Moravian Church, and the Council of Evangelical Churches, reported bureaucratic delays in obtaining exoneration from customs duties for humanitarian aid in the form of donated goods. Some nonCatholic churches complained that the Catholic Church received preferential treatment in this regard and in practice did not face the same bureaucratic requirements applied to other religious and humanitarian organizations. In 2001 media reports criticized alleged government favoritism toward the Commission for the Promotion of the Archdiocese (COPROSA), an NGO founded by Archbishop Miguel Obando y Bravo. However, some Catholic groups, including Catholic Relief Services, reported similar bureaucratic problems in obtaining exoneration from duties on donated goods. The Government published additional, more specific guidelines in 1999 in an attempt to address these problems, but the issue remained controversial during the period covered by this report.

Missionaries do not face any special requirements other than obtaining the appropriate visa—the “religious worker” visa—which is given freely to everyone who follows the application guidelines. The process of obtaining a religious worker visa takes several months and must be completed before the missionary arrives in the country. During the period covered by this report, there were no reports of difficulties by missionaries in obtaining the proper visa.

Private religious schools operate in the country. The Government provides financial support to a number of primary and secondary schools owned and directed by the Catholic Church by paying the salaries of teachers at these schools.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations among religions are very different on the two coasts. On the Atlantic side, where the three dominant churches are the Moravian, Episcopal, and Catholic Churches, there is an ecumenical spirit. The churches even are known to celebrate the Eucharist together. However, on the Pacific side, ecumenism is rare, and there is continuing and energetic competition for adherents between the Catholic Church and the evangelical churches.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights, and also maintains a regular dialog with the principal religious leaders and organizations.

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**PANAMA**

The Constitution provides for freedom of religion, with some qualifications; however, the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 30,193 square miles, and its population is approximately 2.9 million.

According to a 1998 nationwide survey conducted by the Comptroller General's Office of Statistics and Census, 82 percent of the population identify themselves as Roman Catholic, 10 percent as evangelicals, and 3 percent as unaffiliated with any religious group. There are also small but statistically identifiable congregations of The Church of Jesus Christ of Latter-Day Saints (Mormons), Seventh-Day Adventists, members of Jehovah's Witnesses, Episcopalians (approximately 9,000 members), and other Christians. Many recent Chinese immigrants still practice Buddhism. The country has small but influential Jewish (approximately 10,000 members) and Muslim (approximately 5,000 adherents) communities, and is home to 1 of the world's 7 Baha'i Houses of Worship.

Members of the Catholic faith are found throughout the country and at all levels of society. Evangelical Christians also are dispersed geographically, but tend to be from a lower socioeconomic stratum. The mainstream Protestant denominations derive their membership from the Antillean black and expatriate communities, both concentrated in Panama and Colon provinces. The wealthy, relatively large, and influential Jewish community is largely concentrated in Panama City. Muslims live primarily in Panama City and Colon, with smaller concentrations in David and other provincial cities.

Many religious organizations have foreign religious workers in the country. For example, as of July 2002, the Mormons had 201 missionaries in the country, and the Lutheran Church had 7 foreign missionaries. As of 1999 (the latest figures available), the Southern Baptist Convention had 22 foreign missionaries.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for free exercise of all religious beliefs, provided that “Christian morality and public order” are respected; however, despite the qualified nature of this right, the Government generally respects religious freedom in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Constitution recognizes Roman Catholicism as “the religion of the majority of Panamanians” but does not designate the Roman Catholic Church as the official state religion. Roman Catholicism’s numerical predominance and the consideration given to it in the Constitution generally has not prejudiced other religions. However, Catholicism does enjoy certain statesanctioned advantages over other faiths. The Roman Catholic Archbishop of Panama—but no other religious leader enjoys privileges and immunities usually reserved for government officials.

The Constitution provides that religious associations have “juridical capacity” and are free to manage and administer their property within the limits prescribed by the law, the same as other “juridical persons.” The Ministry of Government and Justice grants “juridical personality” through a relatively simple, transparent process that does not appear to prejudice religious institutions. Juridical personality allows a religion to apply for the full array of tax benefits available to nonprofit organizations. There were no reports of cases in which religious organizations were denied juridical personality or the associated tax benefits.

Foreign missionaries are granted temporary 3-month religious worker visas upon submitting required paperwork, which includes an AIDS test and a police certificate of good conduct. A 1-year extension customarily is granted with the submission of additional, less onerous, documentation. Foreign religious workers who intend to remain in Panama more than 15 months must repeat the entire process. Such additional extensions usually are granted. Catholic religious workers from outside the country benefit from a streamlined administrative process that grants them 5-year work permits.

The Constitution dictates that Catholicism be taught in public schools, although parents have the right to exempt their children from religious instruction.

*Restrictions on Religious Freedom*

The Immigration and Naturalization Service no longer grants religious worker visas or work permits to members of the Unification Church. Officials based their decision on allegedly deceptive religious worker visa applications, as well as certain Unification Church practices (such as mass marriages) that officials believed ran contrary to the constitutional requirement that religious conduct respect Christian morality. The Unification Church has not appealed the decision.

The Constitution strictly limits the type of public offices that ministers of religious faiths may hold. The Constitution prohibits clerics from holding public office, except as related to social assistance, education, or scientific research.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of the forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations among the different, mostly Christian, faiths are generally harmonious. The Roman Catholic Church, despite losing membership through growing defections to evangelical and other Christian churches, generally has not reacted defensively. Similarly, most Protestant groups active in the country are not militantly anti-Catholic. Aggressive evangelical Protestant criticism of “new” religions, such as Mormons and the Watchtower Bible and Tract Society (Jehovah’s Witnesses) is not widespread.

Mainstream denominations, including the Roman Catholic, Episcopal, and Methodist Churches, participate in a successful ecumenical movement directed by the nongovernmental Panamanian Ecumenical Committee. The Committee sponsors interreligious conferences to discuss matters of faith and practice and plans joint liturgical celebrations and charitable projects. In conjunction with the University of Santa Maria la Antigua, the Committee sponsors the Institute for Ecumenism and Society, which conducts its own conferences and issues ecumenical publications. The Ecumenical Committee also is a member of the Panamanian Civil Society Assembly, an umbrella group of civic organizations that conducts informal governmental over-

sight and has been the driving force behind ethical pacts on the treatment of women and youth, civil society, responsible journalism, and decentralization.

In May 2001, the Jewish congregation Kol Shearith celebrated its 125th anniversary. Government officials and members of the Christian, Muslim, Baha'i, Buddhist, and more than 30 other religious communities attended the commemoration, which was billed as a celebration of religious freedom.

Over the last decade, local religious leaders have become more outspoken in the ongoing debate on corruption. In January and February 2002, Catholic Archbishop Jose Dimas Cedenó spoke out several times after a major corruption scandal broke, asking that the Government investigate and remedy corruption. Episcopalian bishop Julio Murray maintained a high profile as a member of the Government's Truth Commission, which investigated deaths and disappearances during the period of military rule.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy officials also have met with religious leaders to discuss human rights and the promotion of democracy and civil society.

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## PARAGUAY

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 158,886 square miles, and its population is approximately 5,586,000 persons (2000 estimate).

An estimated 90 percent of the population are Roman Catholic. There are active Catholic, mainline Protestant, evangelical Christian, Jewish (both Orthodox and Reform congregations), Church of Jesus Christ of Latter-Day Saints (Mormon), Muslim, and Baha'i communities in the country. There also are sizable Mennonite communities, whose members originally came to the country to escape religious persecution. These refugees immigrated in several waves between 1880 and 1950.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion for all persons, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution and other laws prohibit discrimination on the basis of religion.

All religious groups must be registered with the Ministry of Education and Culture; however, the Government imposes no controls on these groups and many informal churches exist.

The Government is secular. Most government officials are Catholic. Adherence to a particular creed confers no legal advantage or disadvantage, and foreign and local missionaries proselytize freely. The Government does not take any particular steps to promote interfaith understanding.

##### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

While there is no large-scale ecumenical movement in the country, all religious groups freely exercise their beliefs in a largely tolerant environment. The Catholic Church often performs Mass for government functions, Protestant and evangelical churches engage in marches and prayer vigils, and part of the Jewish community holds a large public menorah lighting every year for Hanukkah. Protestant evangelical groups such as the Assembly of God and New Tribes conduct missionary activities without government interference.

The Catholic Church is involved in politics at the fringe, mostly in socio-economic matters, and does not support any particular political party. The Church freely criticizes the Government.

In May 2002, a building in Asuncion was spray-painted with anti-Semitic graffiti, in the first such incident in 15 years. Results of the police investigation were not known at the end of the period covered by this report.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Ambassador and embassy officials meet regularly with representatives of different religious groups.

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**PERU**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report. The Constitution recognizes the Catholic Church's role as "an important element in the historical, cultural, and moral development of the nation." Preferential treatment given to the Catholic Church in education, tax benefits, and other areas continued to raise concerns about potential infringements of religious liberties of non-Catholics.

The generally amicable relations among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 798,635 square miles and its population is approximately 27,013,000. Nearly all major religions and religious organizations are represented in the country. The Cuanto Institute, a nongovernmental organization (NGO) that provides demographic information, estimates that approximately 80 percent of the population identify themselves as Roman Catholics, although an official of the Episcopal Commission for Social Action (CEAS) estimates that only about 15 percent of the country's Roman Catholics attend church services on a weekly basis. Using the most recent census information (1993), the National Statistics Institute (INEI) estimates that Protestants, the majority of whom are evangelicals or Pentecostals, constitute 7.2 percent of the population. This contrasts with the National Evangelical Council (CONEP) estimate that evangelicals represent approximately 12 percent of the total population, or 2.75 million persons. INEI's estimate also includes non-evangelical Christians such as the Church of Jesus Christ of Latter-Day Saints (Mormons), Seventh-Day Adventists, and members of Jehovah's Witnesses. INEI estimates that adherents of non-Christian religions, including Jews, Muslims, Buddhists, and Shintoists, accounted for approximately 2.5 percent of the population, while agnostics and atheists constituted 1.4 percent of the population. Comparing 1972 and 1993 census statistics, INEI estimates that evangelical membership grew by 133 percent at the time that Catholic membership decreased by 10 percent and membership in other religions decreased by 60 percent.

There are a number of Catholics who combine native indigenous worship with the Catholic traditions. This type of syncretistic religion is practiced most often in the highlands.

Foreign missionary groups, including the Mormons and several evangelical organizations, operate freely throughout the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Constitution establishes the separation of church and state; however, the Constitution recognizes the Catholic Church's role as "an important element in the historical, cultural, and moral development of the nation." The State thus maintains a close relationship with the Catholic Church, and a concordat signed with the Vatican in 1980 grants the Catholic Church special status. The dominant status accorded to Roman Catholicism in public life manifests itself in various ways. The Constitution specifically prohibits discrimination based on religion.

All faiths are free to establish places of worship, train clergy, and proselytize. Religious denominations or churches are not required to register with the Government or apply for a license. There is a small Religious Affairs Unit within the Ministry of Justice whose primary purpose is to receive institutional complaints of discrimination from the various churches. This unit also ensures that beyond the historic preferences (subsidies and exemptions granted to the Catholic Church only), all denominations and churches receive a variety of financial benefits, such as eligibility for exemption from certain import taxes and customs duties. The Unit did not receive any discrimination complaints during the period covered by this report.

Conversion from one religion to another is respected, and missionaries are allowed to enter the country and proselytize. Some non-Catholic missionary groups claim that the law discriminates against them by taxing religious materials, including Bibles, that they bring into the country, while the Catholic Church has not been taxed on such items.

### *Restrictions on Religious Freedom*

Roman Catholicism, the Catholic Church, and Catholic clergy receive preferential treatment and tangible benefits from the State in the areas of education, taxation of personal income, remuneration, and taxation of institutional property. All work-related earnings of Catholic priests and bishops are exempt from income taxes. Real estate, buildings, and houses owned by the Catholic Church are exempt from property taxes. Two groups of Catholic clergy receive state remuneration in addition to the compensation paid to them by the Catholic Church. These include the country's 52 bishops as well as those priests whose ministries are located in towns and villages along the country's borders. Finally, each diocese receives a monthly institutional subsidy from the Government. According to church officials, none of these payments are substantial. However, the Freedom of Conscience Institute (PROLIBCO), an NGO that favors the strict separation between church and state and opposes the preferential treatment accorded to the Catholic religion, claims that the financial subsidies and tax benefits are far more widespread and lucrative than publicly acknowledged.

PROLIBCO also has alleged government discrimination against non-Catholic groups that must pay import duties and a sales tax on Bibles brought into the country. In November 2001, the Jehovah's Witness Association of Peru complained that since 1997 the Ministry of Education has delayed the approval of customs duty exemption on donations of such materials from abroad, and in most cases, had rejected requests for customs duties exemptions by their Association. In February 2002, the Jehovah's Witnesses reported that they had to provide a surety to release the donated material from Customs. By April 2002, the Association had filed two legal actions to uphold their right as a non-profit educational entity to be exonerated from payment of duties on such materials. Both actions were pending in the courts at the end of the period covered by this report; however, in May 2002, a Superior court ordered the temporary suspension of the surety fees the Association had been assessed to release the donated material from Customs.

The General Education law of 1998 mandated that all schools, public and private, impart religious education as part of the curriculum throughout the education process (primary and secondary), "without violating the freedom of conscience of the student, parents, or teachers." Some non-Catholic or secular private schools have been granted exemptions from this requirement. In 1999 the Education Ministry issued a directive to implement a 1998 decree that made it mandatory for school authori-

ties to appoint religious education teachers upon individual recommendations and approval by the presiding bishop of the local diocese.

Parents who do not wish their children to participate in the mandatory religion classes must request an exemption in writing from the school principal. Unlike in previous years, during the period covered by this report, there were no complaints that requests for exemptions from Catholic religious instruction had been denied. Non-Catholics who wish their children to receive a religious education in their own faith are free to organize such classes, at their own expense, during the weekly hour allotted by the school for religious education, but must supply their own teacher. PROLIBCO objects to the requirement for Catholic teaching in the school curriculum, and claims that the alternatives available to non-Catholic parents violate the constitutional protection of privacy and confidentiality of one's convictions and beliefs. In December 2000, PROLIBCO lost a challenge by approximately 90 persons from various non-Catholic churches to this education practice in the Supreme Court. The Inter-American Commission on Human Rights is considering the case.

PROLIBCO is supporting an initiative by two non-sectarian (and antireligious) organizations, the Lima-based Movimiento Arreligioso Peruano and Masa Peru, to eliminate from the Constitution any reference to the Catholic Church. PROLIBCO also is seeking to collect enough signatures to ask the Constitutional Court to rule on the constitutionality of the 1980 Concordat.

By law, the military may hire only Catholic clergy as chaplains, and Catholicism is the only recognized religion of military personnel. A November 1999 Government decree creating 40 military Catholic chaplaincies compelled members of the armed forces and the police, as well as their civilian co-workers and relatives, to participate in their services.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among members of the various religions generally are amicable. Religious groups occasionally join forces in ecumenical works on behalf of the poor. The Catholic and evangelical churches collaborate closely in the area of human rights.

The Catholic Church (through the CEAS) and the National Evangelical Council of Peru (through its loosely affiliated, although independent, Peace and Hope Evangelical Association) have conducted joint national campaigns on behalf of prison inmates and prisoners wrongly charged or sentenced for terrorism and treason.

During the period covered by this report, there were no reports of incidents of anti-Semitism or of discrimination. In the past, Jewish community leaders in Lima have claimed that a number of the city's most prestigious private social clubs have refused to accept into their ranks prospective members who were Jewish.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government's discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. During the period covered by this report, embassy staff members met with leaders of many of the religious communities, including representatives of the Roman Catholic Church, the Jewish community, and Protestant groups. In addition, the Embassy maintains regular contact with religious and nonreligious organization that are involved in the protection of human rights, including the CEAS, the Peace and Hope Evangelical Association, and the Freedom of Conscience Institute.

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## ST. KITTS AND NEVIS

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

St. Kitts and Nevis, a 2-island federation, has a total land area of 104 square miles, and its population is approximately 41,570, with an estimated 34,800 persons on St. Kitts and an estimated 11,000 on Nevis. Approximately 96 percent of the population are of African descent, with most adhering to Anglican beliefs. Racially diverse minority worshippers are members of Catholic, Methodist, Seventh-Day Adventist, Jehovah's Witnesses, Rastafarian and other faiths or beliefs. The dominant religion is Christianity (mostly Methodist, Anglican, Roman Catholic, and Moravian). There is a Baha'i minority.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Government is secular, and does not interfere with an individual's right to worship. Most government officials are Christian. Christian holy days, such as Good Friday, Easter, Whit Monday, and Christmas, are national holidays. The Government does not take any steps to promote interfaith understanding.

##### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

##### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### SECTION III. SOCIETAL ATTITUDES

The Federation's citizens have a history of being open and tolerant of all faiths. Although the society is dominated by Christian attitudes, values, and mores, citizens respect the rights of followers of minority religions such as Baha'is, Muslims, Hindus, and Sikhs.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government, local groups, and other organizations in the context of its overall dialog and policy of promoting human rights.

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## ST. LUCIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 238 square miles, and its population is approximately 163,300. The dominant religion is Christianity, and some 65 percent of the island's residents are Roman Catholic. There also are Anglican, Methodist, Baptist, Pentecostal, Seventh-Day Adventist, and Jehovah's Witnesses communities. Small minority religions include the Baha'i Faith and Rastafarianism.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Government is secular, but most government officials are Christian. Christian holy days such as Good Friday, Easter, Whitmonday, and Christmas are national holidays. The Government does not take any particular steps to promote interfaith understanding.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations between the various religious communities are generally amicable. The St. Lucia Christian Council conducts activities to promote greater mutual understanding and tolerance among adherents of different denominations within the Christian faith.

In October 2001, the authorities completed preliminary investigations in the case of two Rastafarian men charged with murder and arson in the December 2000 killing of a nun and a priest who had been set on fire along with other congregation members during a Catholic Mass in Castries. The men also desecrated the altar in the capital; some of the men's family members were worshipping at the time. Rastafarian leaders criticized the attack. The case is being prepared for hearing in the High Court in September 2002.

There are some signs of growing religious intolerance within the community; the Government strongly criticizes and investigates such events. For example, in March 2002, unidentified individuals made three attempts to burn the Pentecostal Church building in La'feviulle; on each occasion the fire failed to spread. The Catholic Church conducts widely publicized "Cathedral Security Services" each Sunday and on all feast days. Normal security at the church since the December 2000 attacks is one security guard daily, and five on "Cathedral Security Service" days.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom with the Government, local groups, and other organizations in the context of its overall dialog and policy of promoting human rights.

**ST. VINCENT AND THE GRENADINES**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change to the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The island of St. Vincent and a chain of smaller islands, the Grenadines, have a total area of 150 square miles, and the country's population is approximately 112,000. The dominant religion is Christianity (Anglican, Seventh-Day Adventist, Roman Catholic, Methodist, and Pentecostal). The minority religions are Rastafarianism, the Baha'i Faith, and Islam.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Government is secular and does not interfere with an individual's right to worship. Christian holy days such as Good Friday, Easter, Whit Monday, and Christmas are national holidays. The Government does not take any particular steps to promote interfaith understanding.

The Constitution provides for equal treatment under the law regardless of religion, and the Government generally adheres to this provision in practice.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion. Members of the Rastafarian community continue to complain that law enforcement officials unfairly target them; however, it is not clear whether such complaints reflect discrimination on the basis of religious belief by authorities or simply enforcement of laws against the possession and use of marijuana, which is used as part of Rastafarian religious practice. Rastafarians also have complained to the press that when police arrest them, their dreadlocks are cut before their court hearing. However, according to prison officials, the law states that a person's hair or beard may not be cut unless a determination is made by a doctor that this is necessary on the basis of health or security, and that prison officials strictly follow that law. Lice are occasionally a concern and, subject to a doctor's recommendation, hair may be cut. According to officials, this regulation has been in existence for more than 10 years.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations between the various religious communities are generally amicable. However, some members of society do not regard Rastafarianism favorably because of its popular association with drug use. The Christian Council of Churches conducts activities to promote greater mutual understanding and tolerance among adherents of different denominations within the Christian faith.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom with the Government, local groups, and other organizations in the context of its overall dialog and policy of promoting human rights.

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**SURINAME**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 63,037 square miles, and its population is approximately 450,000. Slightly over one-third of the population traces its ancestry to the Indian subcontinent, another third is of African descent, another 15 to 20 percent claim Indonesian ancestry, and there are smaller percentages of the population that

claim Chinese, Amerindian, Portuguese, Lebanese, and Dutch ancestry. Religious diversity in the country closely parallels the ethnic diversity of the population.

According to government statistics, 45 percent of the population is Christian (23 percent Roman Catholic, 16 percent Moravian, and 6 percent other denominations such as the Lutheran, Dutch Reformed and Evangelical Churches), 27 percent is Hindu, 20 percent is Muslim, 6 percent follow native religions, and 2 percent claim no faith.

A large number of faiths, including U.S.-based church groups, have established missionary programs throughout the country. It is estimated that nearly 90 percent of the American missionaries are affiliated with the Baptist Church, with a small percentage of followers of the Church of Jesus Christ of Latter-Day Saints (Mormons) also present. There are several groups of Druids. There are also international groups such as the World Islamic Call Society and the Baha'i Faith.

Many political parties have strong ethnic ties, and religious beliefs often follow ethnic lines; therefore, some political parties are predominantly made up of one faith. However, all political parties have members of different religions, and there is no requirement that political party leaders or members must follow a particular religion.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state or otherwise dominant religion. The Constitution prohibits religious discrimination.

Members of all the various faiths in the country are allowed to worship freely. Religions are not required to register with the Government.

The military maintains a chaplaincy that performs interfaith services in Hinduism, Islam, and Catholicism. Military members are also welcome to visit other religious services in town.

Aside from the standard requirement for an entry visa, missionary workers face no special governmental restrictions. The Government has encouraged and, where possible, supported the various groups without showing special preference to any one group in particular.

The government education system provides limited subsidies to a number of public elementary and secondary schools established and managed by the various religious faiths. While the teachers at the schools are civil servants, and the schools are considered public schools, religious groups provide all funding with the exception of teachers' salaries and a small maintenance stipend.

### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations among the country's various religious communities are amicable. Most citizens, especially those living in Paramaribo, celebrate the religious holidays of other groups to varying extents.

In April 2002, the police informed Jewish community leaders that the police had received a threat to set fire to the country's main (and only active) synagogue. Synagogue leaders increased security. No suspects had been identified by the end of the period covered by this report.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy maintains a dialog with leaders of the country's religious communities.

## TRINIDAD AND TOBAGO

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 1,980 square miles, and its population is approximately 1.3 million. There is no dominant faith among the multiethnic population, which is 40 percent African and 40 percent East Indian; the remainder are of European, Syrian, Lebanese, and Chinese descent. According to the latest official statistics (1990), approximately 29 percent of the population are practicing or nominally Roman Catholic, 24 percent are Hindu, 6 percent are Muslim, and 31 percent are Protestant (including 11 percent Anglican, 7 percent Pentecostal, 4 percent Seventh-Day Adventist, 3 percent Presbyterian/Congregational, and 3 percent Baptist). A small number of individuals follow traditional Caribbean religions with African roots. Sometimes these are practiced together with other faiths.

Foreign missionaries present include members of the Church of Jesus Christ of Latter-Day Saints (Mormons), Baptists, Mennonites, and Muslims. The Mormons maintain the maximum total allowed (30) of foreign missionaries per religious denomination in the country, while other denominations maintain between 5 and 10 foreign missionaries.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

To receive tax-exempt donations or gifts of land, religious groups must register with the Government, which requires them to demonstrate that they are nonprofit. Religious groups have the same rights and obligations as most legal entities, whether or not they are registered. They can own land but must pay property taxes, and they can hire employees but must pay for government-mandated employee benefits.

The Government subsidizes religious and public schools. It also permits religious instruction in public schools, setting aside a time each week when any religious organization that has an adherent in the school can provide an instructor in its faith. Attendance at these classes is voluntary.

Following the national elections in December 2001, Prime Minister Patrick Manning reorganized several ministries and added to the Office of the Prime Minister-Social Service Delivery the portfolio of ecclesiastical affairs.

The law prohibits acts that offend or insult another person or group on the grounds of race, origin, or religion, or which incite racial or religious hatred, and provides for prosecution for the desecration of any place of worship. Government officials routinely speak out against religious intolerance and generally take care not to favor any one religion publicly.

The Government has set aside public holidays for every religion with significant followings, including Christians, Hindus, and Muslims. The Government grants financial and technical assistance to various organizations for religious festivals and celebrations.

The Government does not formally sponsor programs that promote interfaith dialog; however, it supports the activities of the Inter-Religious Organization (IRO), which brings together representatives from most of the country's religions, and provides the prayer leader for several official events, such as the opening of Parliament and of the annual court term.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion. Foreign missionaries operate relatively freely in the country; however, the Government limits the number of foreign missionaries allowed to enter the country

to 30 per religious denomination. Missionaries must meet standard requirements for an entry visa, must represent a registered religious group, and may not remain in the country for more than 3 years.

The Government is known to monitor closely only one religiously affiliated group, a radical Muslim organization called the Jamaat al Muslimeen, some members of which attempted a coup in 1990. The Government's surveillance has focused on the group's repeated attempts to seize control of state-owned property adjoining its central mosque and on any actions intended to incite revolt. In January 2001, a court ordered the Jamaat to pay the Government more than \$3 million for damage done to public buildings during the 1990 coup attempt. In May 2001, the court ruled on a counter-suit and awarded the Jamaat approximately \$350,000 for destruction of its facilities during the same coup.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The country's various religious groups peacefully coexist and generally respect each other's beliefs and practices. Followers of one faith often participate in public celebrations of another faith, most notably in the Hindu celebration of Divali. The IRO, which is composed of leaders from all faiths with significant followings except for the Pentecostals, Seventh-Day Adventists, and Mormons (who have not expressed an interest in membership because of doctrinal differences), promotes interfaith dialog and tolerance through study groups, publications, and cultural and religious shows and exhibitions. No group is excluded from membership in the IRO.

Complaints occasionally are made about the efforts of some groups to proselytize in neighborhoods where another religion is dominant. The most frequent public complaints have been lodged by Hindu religious leaders against evangelical and Pentecostal Christians. Such objections may reflect racial tensions that at times arise between the Afro-Trinidadian and Indo-Trinidadian communities.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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## URUGUAY

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 68,000 square miles, and its population is estimated at 3.2 million. Over one half of the population lives in Montevideo and surrounding areas. Approximately 52 percent of the population are practicing or nominally Roman Catholic, 16 percent are Protestant or belong to another Christian denomination, approximately 1 percent are Jewish, and 30 percent are members of other religions or profess no religion.

The mainstream Protestant minority is composed primarily of Anglicans, Methodists, Lutherans, and Baptists. Other denominations and groups include evangelicals, Pentecostals, Mennonites, Eastern Orthodox, and Jehovah's Witnesses. The Church of Jesus Christ of Latter-Day Saints (Mormons) claims 65,000 members. There are approximately 30,000 practicing Jews, who support 15 synagogues.

A 1998 poll revealed that 13 percent of the population identified themselves as atheists or agnostics, with a significant percentage identifying themselves as deists.

Some of the country's 6 percent African-Uruguayan population, primarily those with roots in Brazil, practice animism.

The Unification Church is active in the country and has major property holdings. There also is a Muslim population that lives primarily on the border with Brazil. Approximately 4,000 Baha'is live in Montevideo.

Many Christian groups perform missionary work in the country. For example, the Mormons have approximately 365 missionaries in the country at any one time.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution and the law prohibit discrimination based on religion.

There is a strict separation of church and state, which dates from the beginning of the 20th century. All religions are entitled to receive tax exemptions on their houses of worship, and there were no reports of difficulties in receiving these exemptions. For houses of worship to receive tax exemptions, a religion or minority religious group must register as a nonprofit entity and draft organizing statutes. It then applies to the Ministry of Education and Culture, which examines the legal entity and grants religious status. The group must reapply every 5 years. Once it has status granted to it by the Ministry, it can request an exemption each year from the taxing body, which is usually the municipal government.

Religious instruction in public schools is prohibited. The public schools allow students who belong to minority religions to miss school for religious holidays without penalty. There are private schools, mainly Catholic and Jewish, to serve their respective religious communities.

The Ministry of Interior provides religious groups with public support, traffic control, and crowd control for religious celebrations that are not official holidays.

The Penal Code prohibits mistreatment of ethnic, religious, and other minority groups. The House of Deputies Constitutional Legislative Affairs Commission is revising the Code to broaden the definition of hate crimes, and thereby make it easier for police to classify certain offenses as hate crimes and to provide the judicial system with the tools necessary to sentence violators to jail.

Missionaries face no special requirements or restrictions. The Government does not take any steps to promote interfaith understanding.

### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations among the various religious communities are amicable. The Christian-Jewish Council meets regularly to promote interfaith understanding. In addition, the mainstream Protestant religions meet regularly among themselves and with the Catholic Church. There are several nongovernmental organizations (NGO's) that promote interfaith understanding.

Isolated neo-Nazi elements have carried out occasional, limited attacks since 1997. Law enforcement authorities have responded vigorously to such activities. In September 2000, the police arrested and charged with inciting racial hatred the leader of a small neo-Nazi group believed responsible for distributing pro-Nazi propaganda. After being imprisoned for 6 months the subject benefited from a parole program for first-time offenders and was released in 2001. Sources report that the subject has paid restitution; however, he still was under investigation and faced additional related charges at the end of the period covered by this report.

In 2001 three students harassed persons by telephoning at random persons with Jewish-sounding surnames. One victim with caller ID reported the harassment to the police, who arrested the students and then released them to their parents, who confined them to their homes during the week. At the end of the period covered by this report, the students reportedly were performing community service on weekends as required by the courts.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

During the period covered by this report, embassy staff members met with human rights and religious NGO's and with leaders of many of the religious communities, including representatives of the Roman Catholic Church, the Jewish community, and Mormon and Protestant leaders.

The Embassy maintains frequent contact with religious and nonreligious organizations that are involved in the protection of human rights, such as the Center for Documentation, Investigation, and Social and Pastoral Promotion (OBSUR), Service of Peace and Justice (SERPAJ), Ecumenical Service for Human Dignity (SEOHU), Institute for Legal and Social Studies of Uruguay (ILSUR), and Mundo Afro, which represents the interests of citizens of African descent.

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**VENEZUELA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 350,000 square miles, and its population is approximately 24.5 million. According to the latest government figures, in 2001 approximately 70 percent of the population were Roman Catholic, approximately 29 percent were Protestant, and the remaining

1 percent practiced other religions or were atheists. There are small but influential Muslim and Jewish communities. The capital city of Caracas has a large mosque, and the country's Jewish community is very active. According to the Government, Protestant churches are the country's most rapidly growing religious community.

There are approximately 4,000 foreign missionaries working in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion on the condition that the practice of a religion does not violate public morality, decency, and the public order, and the Government generally respects this right in practice.

The Directorate of Justice and Religion (DJR) in the Ministry of Interior and Justice is the government office responsible for maintaining a registry of religious groups, disbursing funds to the Roman Catholic Church, and promoting awareness and understanding among the various religious communities. Each local church must register with the DJR to hold legal status as a religious organization and to own property. The requirements for registration are largely administrative. However, some groups have complained that the process of registration is slow and inefficient.

In 1964 the Government and the Holy See signed a concordat that underscores the country's historical ties to the Roman Catholic Church and provides government subsidies to the Church, including to its social programs and schools. Other religious groups do not receive such subsidies.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion. However, the Catholic Church receives subsidies not granted to other churches, and there are some restrictions on the legal rights of religious groups.

The Government annually has provided the equivalent at the time of more than \$1.5 million (approximately 1.1 billion bolivars) in subsidies to the Catholic Church's schools and social programs that help the poor. Other religious groups are free to establish and run their own schools, which do not receive subsidies from the Gov-

ernment. However, since January 2002 the Catholic Church has not received any payments from the Government, presumably due to budgetary restraints.

The military chaplain corps is made up exclusively of Roman Catholic priests, and although service members of other faiths are allowed to attend church services of their own religion, they do not have the same access to clergy members that Catholic service members do.

The Catholic Church has expressed concern that a new program for government-provided itinerant school supervisors could, in theory, become involved in the operation of private religious schools, under the provisions of an October 2000 decree by the Ministry of Education, Culture, and Sports. However, as of the end of the period covered by this report, this decree has had no impact on the operation of private religious schools.

In May 2001, representatives of the Roman Catholic, Anglican, and Protestant Churches rejected participation in the newly created "Interreligious Parliament of the Bolivarian Republic of Venezuela" (PIV), a Government-organized group of numerous religious organizations whose stated purpose is to coordinate their social programs. Catholic Church representatives had expressed concerns for the Church's autonomy and had claimed that the PIV appeared to be an effort to centralize unduly the social work of various churches and religions. However, in the period covered by this report, the PIV was largely inactive.

In November 2000, as part of a broader ruling on whether certain entities qualify as members of the Government's definition of civil society, the Supreme Court ruled that religious organizations are not part of civil society, and that as such they may not represent Venezuelan citizens in court nor bring their own legal actions. The Catholic Church expressed concern over this ruling; however, as of the end of the period covered by this report, this ruling had had no impact in practice on Church activities.

Foreign missionaries require a special visa to enter the country, which is obtained through consulates in the missionary's home country. Missionaries generally are not refused entry, but many complain that the process of obtaining a visa often takes months or years due to general bureaucratic inefficiency.

#### *Abuses of Religious Freedom*

In April 2002, the National Guard harassed missionaries from the Church of Jesus Christ of Latter-Day Saints (Mormons), by conducting unnecessary strip searches and intimidating them. Although it is unclear whether the missionaries were targeted because of their religion or because of their foreign citizenship, the intimidation did impede their right to conduct their missionary work.

On several occasions, the Roman Catholic Church has been monitored or threatened by state agents for political reasons. There were no such cases reported during the period covered by this report; however, in a speech on January 24, 2002, President Chavez called the Catholic Church "a tumor on society," and pro-Government demonstrators have vandalized the Caracas Cathedral and harassed priests (see Section III). The Government has done little to respond to these acts.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations between the various religious communities generally are amicable. However, during the first 3 months of 2002, several small bombs were planted at Catholic churches throughout Caracas; there was no information regarding the responsible parties. One woman was injured; following that incident, the Cardinal closed all Catholic churches for 1 week. The Government did not investigate any of the cases.

Since December 2001, large groups of pro-government supporters have gathered in a downtown section of Caracas at the doors of the Cathedral. The Cathedral has been vandalized with antiChurch, pro-Government graffiti, and priests have reported being harassed by the demonstrators. Most choose not to wear their cassocks outside of the church itself, fearing physical harm. Although the Government is not endorsing these acts, it has done little, if anything, to protect the clergy or churchgoers from the crowds.

The Catholic Church has been a vocal participant in the national political debate. There are numerous ecumenical groups throughout the country.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy maintains close contacts with the various religious communities and meets periodically with the DJR. The Ambassador meets regularly with religious authorities, and the Embassy facilitates communication between U.S. religious groups and the Government.

## EAST ASIA AND THE PACIFIC

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### AUSTRALIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 282,000 square miles, and its population is approximately 19.5 million. According to the 2001 census, 67 percent of citizens consider themselves to be Christian, including 26 percent Roman Catholic and 20 percent Anglican. During the first census in 1911, 96 percent of citizens identified themselves as Christian. Traditional Christian denominations have seen their total number and proportion of affiliates stagnate or decrease significantly since the 1950's. Among Christians Oriental Christians and the Church of Jesus Christ of Latter-Day Saints (Mormons) showed the largest increase in members from 1996 to 2001, 16 percent and 11 percent respectively. In 2001 approximately 15 percent of citizens considered themselves to have no religion, a 1.5 percent decrease from 1996.

At the time of the European settlement of the country, aboriginal inhabitants followed religions that were animistic in nature, involving belief in spirits behind the forces of nature and the influence of ancestral spirit beings. Aboriginal beliefs and spirituality, even among those Aborigines who identify themselves as members of a traditional organized religion, are intrinsically linked to the land generally and to certain sites of significance in particular. According to the 2001 census, 5,244 persons or less than 0.03 percent of respondents reported practicing aboriginal traditional religions. The 1996 census reported that almost 72 percent of Aborigines practiced some form of Christianity and 16 percent listed no religion. The 2001 census contained no comparable updated data.

Recent increased immigration from Southeast Asia and the Middle East has considerably expanded the numbers of citizens who identify themselves as Buddhists and Muslims. The number of Buddhists increased from 199,812 to 357,813 persons while the number of Muslims increased from 200,885 to 281,578 persons. Between 1996 and 2001, stated affiliation with Buddhism increased by 79 percent, with Hinduism by 41 percent, with Islam by 40 percent, and with Judaism by 5 percent.

Missionaries work in the country; however, there are no current statistics available on their number.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. A provision of the Constitution precludes the adoption of a state religion. In recent years, the independent federal Human Rights and Equal Opportunity Commission (HREOC) and a Parliamentary Committee have called upon the Government to review protections for religious freedoms and consider enacting new legislation. The federal Workplace Relations Act prohibits termination of employment on the basis of religion. The HREOC may inquire into allegations of discrimination on

religious grounds and, if such allegations are substantiated, may make a report to Parliament. Under the provisions of the Racial Discrimination Act, the HREOC may also mediate a complaint when a plaintiff's religious affiliation is considered tantamount to membership in an ethnic group. Between July 1 and December 31, 2001, the HREOC mediated three cases of alleged discrimination. All of the cases were filed by Jewish complainants against individuals or employers. Settlements were reached between the parties in all three cases, involving either a private agreement, an apology, or financial compensation. Seven of Australia's eight states and territories have laws prohibiting discrimination on the basis of a person's religion or ethno-religious background. South Australia is the only jurisdiction that does not prohibit discrimination on the basis of religion. Tasmania is the only state or territory whose constitution provides citizens with the right to profess and practice their religion. Minority religions are given equal rights to land, status, and building of places of worship.

In a 1998 report, the HREOC concluded that current laws did not adequately meet the country's obligations under the International Covenant on Civil and Political Rights (ICCPR) and recommended that the Government enact a federal religious freedoms act. In 2000 Parliament's Joint Standing Committee on Foreign Affairs, Defence and Trade inquired into religious freedom in the country and recommended, in part, that the Government respond to the HREOC's 1998 recommendation. The Government had not responded to either the HREOC's or the Committee's recommendations by the end of the period covered by this report.

Religious groups are not required to register.

The Government has put in place extensive programs to promote public acceptance of diversity and multicultural pluralism, although none are focused specifically on religion.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of the forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The HREOC's 1998 report on religious freedom stated that "despite the legal protections that apply in different jurisdictions, many Australians suffer discrimination on the basis of religious belief or non-belief, including members of both mainstream and non-mainstream religions, and those of no religious persuasion." Many non-Christian adherents have complained to the HREOC that the dominance of traditional Christianity in civic life has the potential to marginalize large numbers of citizens. However, the complainants have not presented any concrete evidence of such marginalization. Persons who suffer discrimination on the basis of religion may resort to the court system, which is an effective method of obtaining redress.

Several non-governmental organizations promote tolerance and better understanding among religions in the country, both indigenous and non-indigenous. These groups include the Columbian Center for Christian-Muslim Relations, the National Council of Churches in Australia and its affiliated Aboriginal and Islander Commission, and the Australian Council of Christians and Jews.

During September and October 2001, reports of threats of violence and vandalism against religious properties in all state and territory capital cities increased. Government and religious leaders called for tolerance towards minority groups and criticized vandalism of religious properties. In September 2001, Queensland police established a special Islamic Task Force to investigate acts of anti-Muslim violence, following attacks on mosques in that state. Police forces in all states offered increased protection to religious leaders and increased patrols of religious properties.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of the promoting human rights.

Since late 2001, the U.S. Government in Canberra and U.S. Consulates General in Perth, Melbourne and Sydney have conducted a nationwide outreach program aimed at promoting dialog among all faiths.

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## BRUNEI

The Constitution states that “The religion of Brunei Darussalam shall be the Muslim religion according to the Shafeite sect of that religion: Provided that all other religions may be practiced in peace and harmony by the person professing them in any part of Brunei Darussalam;” however, the Government imposes some restrictions on non-Islamic religions.

There was no change in the status of respect for religious freedom during the period covered by this report. The official religion is Islam, as practiced by the Shafeite School. Other religions, such as Christianity, Buddhism, and Hinduism, also are practiced; however, non-Muslims are not allowed to proselytize, nor are parochial schools allowed to teach the religions of their respective faiths. However, there are several Christian-based schools and eight Chinese schools managed by the Chinese community. The Government detained several Christians in late 2000 and 2001 for alleged subversive activities. These individuals subsequently were released, the last of them in October 2001 after taking an oath of allegiance to the Sultan.

The country’s various religious groups coexist peacefully, although they do not interact regularly.

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 2,227 square miles, and its resident population is approximately 340,000. The Government does not publish detailed data on religious affiliation; however, other sources indicate that 67 percent of the population are Muslim, 13 percent are Buddhist, 10 percent are Christian, and another 10 percent adhere to indigenous beliefs or other faiths. About 20 percent of the population are ethnic Chinese, of which approximately half are Christians (Anglicans, Catholics, and Methodists) and half are Buddhists. There also is a large workforce that includes Australian, British, Filipino, South Asian, Indonesian, and Malaysian expatriates that includes Muslims, Christians, and Hindus.

There are 101 mosques and prayer halls, 7 Christian churches, several Chinese temples, and 2 Hindu temples in the country.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution states that, “The religion of Brunei Darussalam shall be the Muslim religion according to the Shafeite sect of that religion: Provided that all other religions may be practiced in peace and harmony by the person professing them in any part of Brunei Darussalam;” however, the Government imposes some restrictions on non-Islamic religions. The official religion is Islam as practiced by the Shafeite School.

The Government describes the country as a Malay Islamic monarchy. The Government actively promotes adherence to Islamic values and traditions by its Muslim residents. The Ministry of Religious Affairs deals solely with Islam and Islamic laws, which exist alongside secular laws and apply only to Muslims.

Religious organizations are required to register with the Government, as are commercial and nonreligious associations.

In 1998 the Government allowed the Roman Catholic Church to establish and install the first apostolic prefect in the country.

#### *Restrictions on Religious Freedom*

In 1991 the Government began to reinforce the legitimacy of the hereditary monarchy and the observance of traditional and Muslim values by reasserting a national ideology known as the Melayu Islam Beraja (MIB) or “Malay Islamic Monarchy,” the genesis of which reportedly dates from the 15th century. In 1993 the Government participated in issuing the Kuala Lumpur Declaration, which affirms the right of all persons to a wide range of human rights, including freedom of religion. Despite this and the constitutional provisions providing for the full and unconstrained exercise of religious freedom, the Government restricts the practice of non-Muslim religions by: Prohibiting proselytizing of Muslims; occasionally denying entry to foreign

clergy or particular priests, bishops, or ministers; banning the importation of religious teaching materials or scriptures such as the Bible; and refusing permission to expand, repair, or build new churches, temples, or shrines.

The Government sporadically expresses concern about “outsiders” preaching radical Islamic fundamentalist or unorthodox beliefs. In 1995 the Government banned the Al-Arqam movement, a radical Islamic group; it remained banned. Citizens deemed to have been influenced by such preaching (usually students returning from overseas study) have been “shown the error of their ways” in study seminars organized by mainstream Islamic religious leaders. Moreover, the Government does not hesitate to investigate and to use its internal security apparatus against purveyors of radical Islam or “deviationist” Islamic groups.

Proselytizing by faiths other than the official Islam is not permitted. There are no missionaries working in the country.

The Government routinely censors magazine articles on other faiths, blacking out or removing photographs of crucifixes and other Christian religious symbols. Government officials also guard against the distribution and sale of items that feature undesirable photographs or religious symbols.

The Government requires residents to carry an identity card that states the bearer’s religion; however, the Government no longer requires visitors to identify their religion on their landing cards.

In recent years, religious authorities have participated in raids conducted to confiscate alcoholic beverages and to monitor restaurants and supermarkets to ensure conformity with “halal” practices such as Islamic requirements covering the slaughter of animals and the ban on pork products. The majority of citizens generally regard these actions as a means of upholding Islam.

The Ministry of Education requires courses on Islam or the MIB in all schools. It prohibits the teaching of other religions. As of January 2002, the Islamic Education Department of the Ministry of Religious Affairs was transferred to the Ministry of Education. The Ministry requires that all students, including non-Muslims, follow a course of study on the Islamic faith and learn the jawi (Arabic script). The International School of Brunei and the Jerudong International School are exempt from these restrictions. Private mission schools are not allowed to give Christian instruction and are required to give instruction about Islam; however, the Government does not prohibit or restrict parents from giving religious instruction to children in their own homes. In 2000 the Government responded to objections from parents and religious leaders and set aside tentative plans to require that more Islamic courses be taught in private, non-Islamic parochial schools. There were no indications that the Government would again propose these plans for non-Islamic schools.

Religious authorities encourage Muslim women to wear the tudong, a traditional head covering, and many women do so. However, some Muslim women do not, and there is no official pressure on non-Muslim women to do so. In government schools, Muslim and non-Muslim female students must wear Muslim attire, including a head covering as a part of their “uniform.” Muslim male students are expected to wear the songhok (hat).

In accordance with Koranic precepts, women are denied equal status with men in a number of important areas such as divorce, inheritance, and custody of children. Under the Brunei Nationality Act, citizenship is transmitted through the father. Female citizens who are married to foreigners or bear children by foreign fathers cannot transmit citizenship to their children, even when such children are born in the country.

In July 1999, a new Married Women’s Law came into effect, improving significantly the rights of non-Muslim married women with respect to maintenance, property, and domestic violence. In November 1999, changes to the Islamic Family Law (in the section on Women’s Position in Marriage and Divorce) came into effect and are expected to improve the marital rights of Muslim women.

#### *Abuses of Religious Freedom*

In general those adhering to faiths other than Islam are allowed to practice their beliefs, provided that they exercise restraint and do not proselytize. Those non-Muslims who do proselytize may expect to be arrested or detained, and possibly held without charges for extended periods of time.

In late 2000 and early 2001, the Government used the Internal Security Act to detain at least seven Christians for allegedly subversive activities; they were not charged with a crime. Government officials maintained that the detentions were a security, not a religious, matter. The last of the detainees was released in October 2001 after taking an oath of allegiance to the Sultan.

In 2000 the Government briefly detained for questioning local members of a small “deviationist” Islamic sect after the same sect in Malaysia reportedly was involved in military arms theft.

There were no new reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The country’s various religious groups peacefully coexist, although they do not interact regularly.

The country’s national philosophy, the Melayu Islam Beraja concept, discourages open-mindedness to religions other than Islam, and there are no programs to promote understanding of other religions. The country’s indigenous people generally convert either to Islam or Christianity but rarely to Buddhism. Consequently, Muslim officials view Christianity as the main rival to official Islam, and there is little reported dialog among the country’s religious leaders and their counterparts in the Christian and Buddhist religions.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the overall context of encouraging the growth of rudimentary democratic institutions. The Embassy has good relations with officials and members from the Muslim, Christian, and Buddhist faiths.

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## BURMA

Burma has been ruled since 1962 by highly repressive, authoritarian military regimes. Since 1988 when the armed forces brutally suppressed massive pro-democracy demonstrations, a junta composed of senior military officers has ruled by decree, without a constitution or legislature. The most recent Constitution, promulgated in 1974, permitted both legislative and administrative restrictions on religious freedom: “the national races shall enjoy the freedom to profess their religion, provided that the enjoyment of any such freedom does not offend the laws or the public interest.” Most adherents of religions that are registered with the authorities generally are allowed to worship as they choose; however, the Government has imposed restrictions on certain religious activities and frequently abused the right to freedom of religion.

There was no change in the limited respect for religious freedom during the period covered by this report. Through its pervasive internal security apparatus, the Government generally infiltrated or monitored the meetings and activities of virtually all organizations, including religious organizations. It systematically has restricted efforts by Buddhist clergy to promote human rights and political freedom, has discouraged or prohibited minority religions from constructing new places of worship, and, in some ethnic minority areas, has coercively promoted Buddhism over other religions, particularly among members of the minority ethnic groups. Christian groups have experienced increasing difficulties in obtaining permission to build new churches, while Muslims report that they essentially are banned from constructing any new mosques anywhere in the country. While the sharp increase in the level of anti-Muslim violence during the period covered by the previous report (some of which the Government may have tacitly supported, contributed to, or even instigated) has abated, there were reports that restrictions on Muslim travel and worship countrywide have increased, especially since the fall of 2001.

There are social tensions between the Buddhist majority and the Christian and Muslim minorities, largely due to colonial and contemporary government preferences. There is widespread prejudice against Muslims. A sharp increase in anti-Muslim violence in 2001 significantly heightened tensions between the Buddhist and Muslim communities, as it had done in the past.

Since 1988 a primary objective of U.S. Government policy towards the country has been to promote increased respect for human rights, including the right to freedom of religion. In September 2001, the Secretary of State designated Burma a country of particular concern under the International Religious Freedom Act for particularly

severe violations of religious freedom. The Secretary of State had so designated Burma in 1999 and 2000.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 251,000 square miles and a population of approximately 50 million persons. The majority of the population are Theravada Buddhists, although in practice popular Burmese Buddhism includes veneration of many indigenous pre-Buddhist deities called "nats," and coexists with astrology, numerology, and fortune-telling. Buddhist monks, including novices, number more than 300,000 persons, (roughly 2 percent of the male Buddhist population), and depend for their material needs entirely on alms donated by the laity, including daily donations of food. The clergy also includes a much smaller number of nuns. There are minorities of Christians (mostly Baptists as well as some Catholics and Anglicans), Muslims (mostly Sunni), Hindus, and practitioners of traditional Chinese and indigenous religions. According to government statistics, almost 90 percent of the population practice Buddhism, 4 percent practice Christianity, and 4 percent practice Islam; however, these statistics may understate the non-Buddhist proportion of the population. A very small Jewish community, estimated to be less than 50 persons, exists in Rangoon.

The country is ethnically diverse, and there is some correlation between ethnicity and religion. Theravada Buddhism is the dominant religion among the majority Burman ethnic group, and among the Shan and Mon ethnic minorities of the eastern and southern regions. In much of the country there also is some correlation between religion and social class. Non-Buddhists tend to be better educated, more urbanized, and more business oriented than the Buddhist majority.

Christianity is the dominant religion among the Kachin ethnic group of the northern region and the Chin and Naga ethnic groups of the western region (some of which practice traditional indigenous religions); it also is practiced widely among the Karen and Karenni ethnic groups of the southern and eastern regions. Many other Karen and Karenni are Theravada Buddhists. Hinduism is practiced chiefly by Indians, mostly Tamils and Bengalis, who are concentrated in major cities and in the southcentral region (although many Tamils are Catholic). Islam is practiced widely in Rakhine State, where it is the dominant religion of the Rohingya minority, and among Indians and Bengalis and their descendants. The Chinese ethnic minorities practice traditional Chinese religions. Traditional indigenous religions are practiced widely among smaller ethnic groups in the northern regions and practices drawn from those indigenous religions persist widely in popular Buddhist rituals, especially in rural areas.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The country has been ruled since 1962 by highly authoritarian military regimes. The latest military regime, now called the State Peace and Development Council (SPDC), has governed without a constitution or legislature since 1988. The most recent Constitution, promulgated in 1974, permitted both legislative and administrative restrictions on religious freedom: "the national races shall enjoy the freedom to profess their religion provided that the enjoyment of any such freedom does not offend the laws or the public interest." Most adherents of religions that were registered with the authorities generally have enjoyed the right to worship as they choose; however, the Government has imposed restrictions on certain religious activities and frequently abused the right to religious freedom.

Since independence in 1948, many of the ethnic minority areas have been bases for armed resistance to the Government. Although the Government has negotiated ceasefire agreements with most armed ethnic groups since 1989, active Shan, Karen and Karenni insurgencies continue, and a Chin insurgency has developed since the late 1980's. Successive civilian and military governments have tended to view religious freedom in the context of threats to national unity.

There is no official state religion; however, in practice the Government continued to show a preference for Theravada Buddhism. Successive governments, civilian and military, have supported and associated themselves conspicuously with Buddhism.

Virtually all organizations must be registered with the Government. A government directive exempts "genuine" religious organizations from registration; however, in practice only registered organizations can buy or sell property or open bank accounts, which coerces most religious organizations to register. Religious organizations register with the Ministry of Home Affairs with the endorsement of the Min-

istry for Religious Affairs. The State also provides some utility services, such as electricity, at preferential rates to recognized religious organizations.

Buddhist doctrine remained part of the state-mandated curriculum in all elementary schools. Individual children may opt out of instruction in Buddhism, and sometimes do; however, at times the Government also deals harshly with efforts to opt out. The Government also funded two state universities to train Buddhist clergy, and one university intended to teach non-Burmese about Burmese Theravada Buddhism.

Official public holidays include some Christian and Islamic holy days, as well as several Theravada Buddhist holy days.

The Government ostensibly promotes mutual understanding among practitioners of different religions. The Government maintains a multi-religion monument in downtown Rangoon. In 1998 the Government announced plans to build a new multi-religion Square on some of the land that it recovered in 1997 by relocating Buddhist, Christian, Hindu, and Muslim cemeteries in Rangoon's Kyandaw neighborhood. During 2001, the Government objected to the inclusion of a cross in the design of a proposed Christian monument at the site, and, as a result, there was no progress on the project during the period covered by this report.

#### *Restrictions on Religious Freedom*

The Government continued both to show preference for Theravada Buddhism, the majority religion, and to control the organization and restrict the activities and expression of its clergy ("sangha"), although the clergy have resisted such control. Beginning in late 1990, the Government banned any organization of Buddhist clergy other than the nine state-recognized monastic orders. These nine orders submit to the authority of a state-sponsored State Clergy Coordination Committee ("Sangha Maha Nayaka Committee"—SMNC), which is elected indirectly by monks. The Government also authorized military commanders to try Buddhist clergy before military tribunals for "activities inconsistent with and detrimental to Buddhism," and imposed on Buddhist clergy a code of conduct. Infractions of the code are punished by criminal penalties. In 1999 the regional military commander in Mandalay reportedly issued an order that forbade Buddhist clergy to leave their township of residence without first surrendering their identity cards and obtaining written permission from local authorities. In November 2001 two nuns at Thayet were arrested and imprisoned for violating this order. Persons other than Buddhist clergy generally were not subject to such severe restrictions on movement.

Since the early 1990's, the Government increasingly has made special efforts to link itself with Buddhism as a means of boosting its own legitimacy. State-controlled news media continue frequently to depict or describe government members paying homage to Buddhist monks; making donations at pagodas throughout the country; officiating at ceremonies to open, improve, restore or maintain pagodas; and organizing ostensibly voluntary "people's donations" of money, food, and uncompensated labor to build or refurbish Buddhist religious shrines throughout the country. State-owned newspapers routinely featured, as front page banner slogans, quotations from the Buddhist scriptures. The Government has published books of Buddhist religious instruction. The Union Solidarity and Development Association (USDA), a Government-sponsored mass organization in which participation often is not entirely voluntary, has organized courses in Buddhist culture attended by millions of persons, according to State-owned media reports.

The Government continued to fund two State Sangha Universities in Rangoon and Mandalay to train Buddhist clergy under the control of the SMNC. The State's relations with the Buddhist clergy and Buddhist schools are handled chiefly by the Department for the Perpetuation and Propagation of the Sasana (DPPS—"Sasana" means Buddhist doctrine) in the Ministry of Religious Affairs. During the mid-1990's, the Government funded the construction of the International Theravada Buddhist Missionary University (ITBMU) in Rangoon, which opened in December 1998. The ITBMU's stated purpose is "to share Burma's knowledge of Buddhism with the people of the world," and the main language of instruction is English.

The Government, which operates a pervasive internal security apparatus, generally infiltrates or monitors the meetings and activities of virtually all organizations, including religious organizations. Religious activities and organizations of all faiths also are subject to broad government restrictions on freedom of expression and association. The Government also subjects all publications, including religious publications, to control and censorship. The Government generally prohibits outdoor meetings, including religious meetings, of more than five persons. This monitoring and control undermines the free exchange of thoughts and ideas associated with religious activities. The Government continued to monitor closely the activities of members of all religions, including Buddhism, in part because clergy and congrega-

tion members in the past have become active politically. In 1995 the military Government prohibited the ordination as clergy of any member of a political party. This measure remains in effect; however, it is not strictly enforced.

The Government continued to discriminate against members of minority religions, restricting the educational, proselytizing, and building activities of minority religious groups. There is a concentration of Christians among some of the ethnic minorities (such as, the Karen and the Kachin) against which the army has fought for decades, although groups that practice Buddhism (like, the Shan) also have waged many of the ethnic insurgencies.

Unlike in past years, there were no reports of clergy being beaten to discourage proselytizing. Local military commanders, who often issued such orders, rarely cited any legal justification for their actions. Government authorities continued to prohibit Christian clergy from proselytizing in some areas, often in support of local Buddhist populations opposed to the spread of Christianity. For example, in early April 2002 the Government suddenly rescinded the Kachin Baptist Convention's permission to hold its 125th anniversary celebration in Kachin state. The celebration, which was expected to attract approximately 30,000 members, was rescheduled for November 2002. The Government initially also denied the Baptist Youth Assembly to hold a rally for 3,000 members in Taunggyi, Shan state in November 2001. In May 2002, the Government allowed the group to hold the rally but attendance was restricted to only 300 members.

In general the Government has not allowed permanent foreign religious missions to operate in the country since the

mid-1960's, when it expelled nearly all foreign missionaries and nationalized all private schools and hospitals, which were extensive and were affiliated mostly with Christian religious organizations. The Government is not known to have paid any compensation in connection with these extensive confiscations. However, the Government has allowed a few elderly Catholic priests and nuns who have worked in the country since before independence to continue their work. At times, religious groups, including Catholics and Protestants, bring in foreign clergy and religious workers as tourists but are careful to ensure that their activities are not perceived as proselytizing by the Government. Some Christian theological seminaries established before 1962 also have continued to operate; however, in 2000 military authorities forced a Bible school, which had been operating in Tamu township in Sagaing division since 1976, to close.

Christian groups have experienced increasing difficulties in obtaining permission to build new churches, while Muslims report that they essentially are banned from constructing any new mosques anywhere in the country. Buddhist groups are not known to have experienced similar difficulties in obtaining permission to build pagodas or monasteries. In parts of Chin state, authorities reportedly have not authorized the construction of any new churches since 1997. The Government reportedly also has denied permission for churches to be built on main roads in Myitkyina, the capital of Kachin state. In Rangoon authorities have instructed various Christian groups to call their worship facilities "social centers" rather than "churches." One source estimated that the Government approves construction of only approximately 10 to 15 new churches per year. In most regions of the country, Christian and Muslim groups that seek to build small churches or mosques on side streets or other inconspicuous locations do so with informal, rather than formal, approval from local authorities. However, obtaining an informal approval from local authorities creates a tenuous legal situation. When local authorities or conditions change, informal approvals for construction have been rescinded abruptly, construction halted and, in some cases, buildings have been torn down.

Since the 1960's, Christian and Islamic groups have had difficulties importing religious literature into the country. All publications, religious and secular, remain subject to control and censorship. Translations of the Bible into indigenous languages can not be imported legally; however, Bibles can be printed locally in indigenous languages with government permission. During the period covered by this report, there were no reports of the confiscation of Bibles or other religious materials. In January 2002, the German based company Good Books for All was allowed to distribute 10,000 Bibles in the country. In 1999 however, approximately 20,000 illegally imported Bibles were seized in Tamu township in Sagaing division. During 2001, countering rumors that the Bibles were destroyed, authorities informed one religious group that the Bibles were in storage in Rangoon. At the end of the period covered by this report, the disposition of these Bibles remained unclear. Last year, one religious group reported that in 2001 it had received government permission to import 2,000 English-language Bibles, the first such import allowed in 20 years; the Bibles were not imported, however, and in May 2002 the Government reversed its earlier decision.

State censorship authorities continued to enforce restrictions on the local publication of the Bible, and Christian and Muslim publications in general. The most onerous restriction is a list of over 100 prohibited words that the censors would not allow in Christian or Islamic literature because they purportedly are indigenous language terms long used in Buddhist literature. Many of these words have been used and accepted by some of the country's Christian and Muslim groups since the colonial period. Organizations that translate and publish non-Buddhist religious texts are appealing these restrictions. They reportedly have succeeded in reducing the number of prohibited words to approximately 12, but the issue still was pending at the end of the period covered by this report. In addition, according to other reports, the censors have objected to passages of the Old Testament and the Koran that may appear to approve the use of violence against nonbelievers. Although possession of publications not approved by the censors is an offense for which persons have been arrested and prosecuted in the past, there have been no reports of arrests or prosecutions for possession of any traditional religious literature in recent years.

The Government allowed members of all religious groups to establish and maintain links with coreligionists in other countries and to travel abroad for religious purposes, subject to restrictive passport and visa issuance practices, foreign exchange controls, and government monitoring that extends to all international activities for any purpose. The Government sometimes expedited its burdensome passport issuance procedures for Muslims making the Hajj.

Religious affiliation sometimes is indicated on government issued identification cards that citizens and permanent residents of the country are required to carry at all times. There appear to be no consistent criteria governing whether religion is indicated on an identification card. Citizens also are required to indicate their religions on some official application forms, such as, on passports (which have a separate "field" for religion, as well as ethnicity).

Non-Buddhists continued to experience employment discrimination at upper levels of the public sector. Only one non-Buddhist served in the Government at a ministerial level, and the same person, a brigadier general, is the only non-Buddhist known to have held flag rank in the armed forces during the 1990's. The Government discourages Muslims from entering military service, and Christian or Muslim military officers who aspire to promotion beyond middle ranks are encouraged by their superiors to convert to Buddhism.

Members of the Muslim Rohingya minority in Rakhine state, on the country's western coast, continued to experience severe legal, economic, and social discrimination. The Government denies citizenship status to most Rohingyas on the grounds that their ancestors allegedly did not reside in the country at the start of British colonial rule, as required by the country's highly restrictive citizenship law. Muslim Rohingya minority returnees complained of severe government restrictions on their ability to travel and their ability to engage in economic activity. Unlike the practice for other foreign persons in the country, these Muslims are not issued a Foreign Registration Card (FRC). They are required to obtain permission from the township authorities whenever they wish to leave their village area. Authorities generally do not grant permission to travel to Rangoon to Rohingya Muslims, however, permission sometimes can be obtained through bribery. In addition because the Government reserves secondary education for citizens only, Rohingyas do not have access to state run schools beyond primary education, and are unable to obtain most civil service positions. There are reports that restrictions on Muslim travel and worship, in particular, have increased countrywide during the period covered by this report.

#### *Abuses of Religious Freedom*

Government restrictions on speech, press, assembly, and movement, including diplomatic travel, make it difficult to obtain timely and accurate information on human rights in Burma, including freedom of religion. Information about abuses often becomes available only months or years after the events, from refugees who have fled to other countries, from released political prisoners, or from occasional travel inside the country by foreign journalists and scholars.

There continued to be reports that military officers killed villagers who refused to provide portering services to the Army. For example, in December 2000, junta military officers allegedly shot and killed the local imam of a mosque in Karen state for asking the authorities to spare him from portering, as it was the Islamic fasting month of Ramadan. The military on occasion has killed religious figures as well. On May 30, 2002 troops killed 10 ethnic Karen, including a pastor one day after being ambushed by fighters from the Karen Resistance group.

Government security forces continued to take actions against minority Christian groups, arresting clergy, destroying churches, and prohibiting religious services. In Rangoon during 2001, authorities closed more than 80 home-churches (a traditional

gathering place for many Christians) because they did not have proper authorization to hold religious meetings. At the same time, the authorities have made it increasingly difficult to obtain approval for the construction of “authorized” churches. In Chin state in the western part of the country in particular, the Government attempted to coerce members of the Chin ethnic minority to convert to Buddhism and prevented Christian Chin from proselytizing by, among other things, arresting and physically abusing Christian clergy and destroying churches. Until 1990 the Chin generally practiced either Christianity or traditional indigenous religions with little interference from the Government. Since 1990 the Government has supported forced conversions of Christians to Buddhism. The majority of Chins, however, are still Christian. (The Chin were the only major ethnic minority in the country that did not support any significant armed organization in active rebellion against the Government or in an armed ceasefire with the Government. However, Chin opposition groups emerged in 1988 and subsequently developed active insurgencies against the Government).

Authorities have attempted to prevent Chin Christians from practicing their religion. Military units repeatedly located their camps on the sites of Christian churches and graveyards, which were destroyed to build these camps; local Chin Christians were forced to assist in these acts of desecration. In addition, the Army reportedly tends to use churches, desecrating them for their bases when in remote areas. Since the early 1990’s, security forces have torn down or forced villagers to tear down crosses that had been erected outside Chin Christian villages. These crosses often have been replaced with pagodas, sometimes built with forced labor. During the period covered by this report, there were reports that, while the Government still bans most of these crosses, permission has been granted to erect at least one cross in Southern Chin state. It also was reported that in July 2000, Captain Khin Maung Myint forcibly ordered the closure of all Christian schools in Tamu township.

The authorities reportedly subjected Christian sermons to censorship and repeatedly prohibited Christian clergy from proselytizing. On April 4, 2002, two Chin pastors, Reverend That Ci, his son-in-law Reverend Lian Za Dal, and their families reportedly were arrested in a suburb of Rangoon for having unregistered overnight guests in their home. However, Reverend That Ci had filed the necessary paperwork and had not received a reply. The arrests reportedly were an effort to force them to stop proselytizing so boldly in the Dagon North area. When they refused, they were sent from Dagon North police station to Insein prison. The status of their eight family members is unknown. In the past, soldiers beat Christian clergy who refused to sign statements promising to stop preaching to non-Christians. Since 1990 government authorities and security forces, with assistance from monks of the Hill Regions Buddhist Missions, have sought coercively to prevent Christian Chins from proselytizing to Chins who practice indigenous religions.

Since 1990 government authorities and security forces have promoted Buddhism over Christianity among the Chin ethnic minority in diverse and often coercive ways. This campaign, reportedly accompanied by other efforts to “Burmanize” the Chin, has involved a large increase in military units stationed in Chin state and other predominately Chin areas, state-sponsored immigration of Buddhist Burman monks from other regions, and construction of Buddhist monasteries and shrines in Chin communities with few or no Buddhists, often by means of forced “donations” of money or labor. Local government officials promised monthly support payments to individuals and households who converted to Buddhism. Government soldiers stationed in Chin state reportedly were given higher rank and pay if they coerced Chin women to marry them and convert to Buddhism. The authorities reportedly supplied rice to Buddhists at lower prices than to Christians, distributed extra supplies of foodstuffs to Buddhists on Sunday mornings while Christians attended church, and exempted converts to Buddhism from forced labor. In the past, it credibly was reported that in Karen state’s Pa’an township army units repeatedly conscripted as porters young men leaving Sunday worship services at some Christian churches, causing young men to avoid church attendance. Soldiers led by officers repeatedly disrupted Christian worship services and celebrations. Chin Christians were forced to “donate” labor to clean and maintain Buddhist shrines. There also were a number of credible reports that the Army continued to force Chin to porter for it, both in Chin state and Sagaing division. More specifically it was reported that the Army no longer takes rations with it, and rather lives off local villagers to feed army personnel, by force if help is refused, although villagers reportedly were allowed to buy their way out of such work. Local government officials ordered Christian Chin to attend sermons by newly arrived Buddhist monks who disparaged Christianity. Many Christian Chin are pressured and some are forced to attend schools for monks and Buddhist monasteries and then are encouraged to convert to Buddhism. Local government officials separated the children of Chin Christians from their parents

under false pretenses of giving them free secular education and allowing them to practice their own religion, while in fact the children were lodged in Buddhist monasteries where they were instructed in and converted to Buddhism without their parents' knowledge or consent. Finally, since 1990, government authorities and security forces, with assistance from monks of the Hill Regions Buddhist Missions, coercively have sought to coerce Chins, including children, to convert to Theravada Buddhism.

In 2001, according to the Chin Human Rights Organization, Lt. Colonel Biak To was fired from his military position and fined; allegedly his army and police superiors discriminated against him because of his religious (Christian) and ethnic (Chin) identity.

There were unconfirmed reports of governmental restrictions on the religious freedom of Christians among the Naga ethnic minority in the far northwest of the country. These reports suggested that the Government sought to coerce members of the Naga to convert to Buddhism by means similar to those used to convert members of the Chin to Buddhism. However, reports concerning the Naga, although credible, are less numerous than reports concerning the Chin. Consequently, knowledge of the status of religious freedom among the Naga is less certain. During 1999 the first mass exodus of Naga religious refugees from the country occurred; more than 1,000 Christians of the Naga ethnic group reportedly fled the country to India. These Naga reportedly claimed that the army and Buddhist monks tried to force them to convert to Buddhism, had forced them to close churches in their villages, and then desecrated the churches. A particularly harsh military commander in the Naga area reportedly was removed from command in late 2000 and imprisoned for rape.

There are credible reports that SPDC authorities have systematically repressed and relocated Muslims to isolate them in certain areas. For example, Rakhine Muslims have been forced to donate time, money, and materials toward buildings for the Buddhist community. There now are certain townships in the Rakhine state, such as Thandwe, Gwa, and Taung-gut, which are "Muslim-free zones." Muslims no longer are permitted to live in the areas, mosques have been destroyed and lands confiscated. To ensure that the mosques are not rebuilt, they have been replaced with government-owned buildings, monasteries, and Buddhist temples. Authorities also have issued a court order in Rakhine stating that the killing of a Muslim is punishable by a minimal 3-month sentence while the sentence for a Muslim hitting a Buddhist is 3 years. Last year in northern Rakhine state, the Government systematically destroyed mosques in some small villages. In one area, local authorities already had destroyed at least 10 of 40 mosques that had been designated for destruction before higher authorities intervened at the request of international agencies. The mosques, which typically are little more than thatch huts, reportedly were constructed without proper authority by villagers who had difficulty getting to mosques in neighboring towns due to strict travel restrictions on Muslims.

In 2001 there was a sharp increase in anti-Muslim violence in the country. In February 2001, riots broke out in the town of Sittwe, the capital of Rakhine state. There were various, often conflicting, accounts of how the riots began, but reports consistently stated that government security and firefighting forces did little to prevent attacks on Muslim mosques, businesses, and residences. There also were credible reports that at least some of the monks that led attacks on Muslims were military or USDA instigators dressed as monks. After 4 days of rioting, security forces moved in and prevented any additional violence. An estimated 50 Muslim homes were burned and both Muslims and Buddhists were killed and injured. Since that time, the Government has tightened already strict travel restrictions for Muslims in the area, essentially preventing any Muslims from travelling between Sittwe and other towns in the region. In late March or early April 2001, seven Arakanese politicians were sentenced to 7- to 12-year prison terms for inciting the riots.

In May 2001, anti-Muslim riots broke out in the town of Taungoo in the Bago Division between Rangoon and Mandalay (an estimated 2,000 of 90,000 Taungoo inhabitants are Muslim). The riots followed the same pattern as those in Sittwe: there were varying accounts of what precipitated the fighting, security and firefighting forces did not intervene, and Muslim mosques, businesses, and residences were targeted. Again there were credible reports that the monks that appeared to be inciting at least some of the violence were Union Solidarity and Development of Agriculture or military personnel dressed as monks. After 2 days of violence the military stepped in and the violence immediately ended, but not before there was widespread destruction of Muslim homes and businesses and, reportedly, of several mosques. An estimated 10 Muslims and 2 Buddhists were killed in this incident. No further information about this incident was available at the end of the period covered by this report.

While there is no direct evidence linking the Government to these violent acts against Muslims, there are reports that the instigators were military or Union Solidarity and Development Association personnel. There also are reports that local government authorities alerted Muslim elders in advance of the attacks and warned them not to retaliate to avoid escalating the violence. While the specifics of how these attacks began and who carried them out may never be documented fully, it appears that the Government was, at best, very slow to protect Muslims and their property from destruction. The violence significantly heightened tensions between the Buddhist and Muslim communities.

While anti-Muslim violence abated during the period covered by this report, restrictions on Muslims countrywide reportedly have increased, especially since the fall of 2001. Muslims reportedly have not been allowed to build any new mosques in the country, or to replace those destroyed in the rioting last year. Authorities also have refused to approve requests for gatherings to celebrate traditional Muslim holidays, and have restricted the number of Muslims that can gather in one place. Restrictions on Muslim travel reportedly have increased throughout the country.

In 1991 tens of thousands (according to some reports as many as 300,000 persons) of members of the Muslim Rohingya minority fled from Rakhine state into Bangladesh following anti-Muslim violence alleged, although not proven, to have involved government troops. Many of the 21,000 Rohingya Muslims remaining in refugee camps in Bangladesh have refused to return because they feared human rights abuses, including religious persecution. The United Nations High Commissioner for Refugees (UNHCR) reported that authorities cooperated in investigating isolated incidents of renewed abuse of repatriated citizens.

In September 2000, according to the Muslim Information Center of Burma (MICB), a local nongovernmental organization (NGO), four Muslim elders of Daing Win Gwan Block village, Moulmein township in Mon state, filed an application with the authorities to allow the Muslim students to stop learning Buddhism in school; the authorities arrested the four elders for their actions. No further information was available about this incident during the period covered by this report.

The Government continued to prevent Buddhist monks from calling for democracy and political dialog with pro-democracy forces. During the period covered by this report, government efforts to control these monks have included travel restrictions, arrests, pressure on Buddhist leaders to expel "undisciplined monks," and a prohibition on certain monasteries from receiving political party members as overnight guests. More than 100 monks credibly have been identified as having been imprisoned during the 1990's for supporting democracy and human rights; however, about half of these have been released, and there was no reliable estimate of the number of Buddhist clergy in prisons or labor camps at the end of the period covered by this report. Following a February 2000 letter from the Young Buddhist Monk Union advocating political actions, government authorities reportedly arrested approximately 40 monks in May or June 2001. By the end of the period covered by this report, the status of those arrested remained unknown. Monks serving sentences of life in prison reportedly included the venerable U Kalyana of Mandalay, a member of the Aung San Red Star Association, and the venerable U Kawiya of the Phayahyi monastery in Mandalay.

In July 2000, U Tay Zawata, a monk in Shan state, filed a complaint with the SPDC Secretary One Lt. General and the Attorney General stating that in August 1999, government authorities in the town of Tachileik had destroyed two monasteries and dispersed over 50 monks without a proper court order and without compensation. On August 1, 2001, at a religious ceremony in Mandalay, a Buddhist monk reportedly was arrested for delivering a sermon critical of the prevailing economic and political situation. There was no information available on whether he was later released or if he remains in prison.

There continued to be credible reports from diverse regions of the country that government officials compelled persons, especially in rural areas, to contribute money, food, or uncompensated labor to state-sponsored projects to build, renovate, or maintain Buddhist religious shrines or monuments. The Government calls these contributions "voluntary donations" and imposes them on both Buddhists and non-Buddhists. In recent years, there had been credible reports that Muslims in Rakhine state have been compelled to build Buddhist pagodas as part of the country's forced labor program. These pagodas often have been built on confiscated Muslim land. However, there were no known reports of such activity during the period covered by this report. There also were reports of forced labor being used to dismantle temples and monasteries. In July 2000, army troops from the 246th Infantry Division reportedly forced 54 men to dismantle several temples and monasteries in the forced relocation areas of Kun-Hing township; in August 2000, the same troops again con-

scripted 87 workers from the same town and forced them to build a shelter for the lumber and tin sheets taken from the dismantled monasteries.

On June 14, 2002, Aung San Suu Kyi, (leader of the National League for Democracy), traveled to Karen state to visit Thamanya Sayadaw, a famous monk, without incident. Suu Kyi had been released from house arrest in May 2002. Thamanya Sayadaw is revered by the wife of General Than Shwe, the Head of State and Chairman of the SPDC.

#### *Forced Religious Conversion*

Since 1990 government authorities and security forces, with assistance from monks of the Hill Regions Buddhist Missions, have sought to coerce Chins, including children, to convert to Theravada Buddhism.

According to the Islamic Republic News Agency, there are credible reports that hundreds of Christian tribal Nagas in the country have been converted forcibly to Buddhism by the country's military. The persons were lured with promises of government jobs to convert to Buddhism, while those who resisted were abused and kept as bonded labor by the military.

There were no reports of forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United states, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

There are social tensions between the Buddhist majority and the Christian and Muslim minorities, largely due to preferential treatment by the Government, both in hiring and other areas, in practice (although not in law) both for non-Buddhists during British colonial rule and for Buddhists since independence. There is widespread prejudice against Muslims, many of whom are ethnic Indians or Bengalis. The Government reportedly contributed to or instigated anti-Muslim violence in Rakhine state in 1991, in Shan state and Rangoon in 1996, in cities throughout the country in 1997, and again during the period covered by this report (see Section II).

A book entitled "In Fear of Our Race Disappearing," which first appeared in print in 1997 or 1998 by an unknown author, has contributed to anti-Muslim sentiments among Burmese Buddhists. The book describes how Muslims will displace Buddhists in the country unless actions are taken against them. Distribution of the book appears to have increased during the period covered by this report, although it is not clear who has been publishing it. The book was cited as one factor that contributed to the rioting in early 2001 in Sittwe and Taungoo (see Section II).

Since 1994 when the progovernment Democratic Karen Buddhist Army (DKBA) was organized, there has been armed conflict between the DKBA and the Karen National Union (KNU). Although the DKBA reportedly includes some Christians, and there are many Buddhists in the KNU, the armed conflict between the two Karen groups has had strong religious overtones. During the mid-1990's, it reportedly was common DKBA practice to torture Christian villagers and kill them if they refused to convert to Buddhism; however, DKBA treatment of Christians reportedly improved substantially after the DKBA began to administer the regions that it had conquered.

### SECTION IV. U.S. GOVERNMENT POLICY

Since 1988 a primary objective of U.S. Government policy toward the country has been to promote increased respect for human rights, including the right to freedom of religion. The United States has discontinued bilateral aid to the Government, suspended issuance of licenses to export arms to the country, and suspended the generalized system of preferences and export import bank financial services in support of U.S. exports to the country. The U.S. Government also has suspended all Overseas Private Investment Corporation financial services in support of U.S. investment in the country, ended active promotion of trade with the country, and halted issuance of visas to high government officials and their immediate family members. It also has opposed all assistance to the Government by international financial institutions, and urged the governments of other countries to take similar actions.

In November 2000, the U.S. Government actively supported the decision of the International Labor Organization to implement sanctions against the regime based on the Government's continued systematic use of forced labor for a wide range of civilian and military purposes.

The U.S. Embassy has promoted religious freedom in the context of its overall dialog and policy of promoting human rights. This has involved numerous contacts with government officials, private citizens, scholars, representatives of other governments, international media representatives, and international business representa-

tives. Embassy staff have met repeatedly with leaders of Buddhist, Christian, and Islamic religious groups, members of the faculties of schools of theology, and other religious-affiliated organizations and NGO's as part of their reporting and public diplomacy activities.

In September 2001, the Secretary of State designated Burma as a "country of particular concern" under the International Religious Freedom Act for particularly severe violations of religious freedom. The Secretary of State also had designated Burma a country of particular concern in 1999 and 2000.

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## CAMBODIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among the religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 67,000 square miles and a population of approximately 12 million. Approximately 93 percent of the population is Hinayana and Theravada Buddhist. The Buddhist tradition is widespread and active in all provinces, with an estimated 4,100 pagodas throughout the country. The vast majority of ethnic Cambodians are Buddhist, and there is a close association between Buddhism, Khmer cultural traditions, and daily life. Adherence to Buddhism generally is considered intrinsic to the country's ethnic and cultural identity. The remainder of the population includes approximately 700,000 Muslims, predominantly ethnic Chams, who generally are located in towns and rural fishing villages on the banks of the Tonle Sap and Mekong rivers and in Kampot province. There are four branches of Islam: the Malay-influenced Shafi branch, which constitutes 90 percent of the Cham Muslims; the Saudi-Kuwaiti influenced Wahabi branch which represents 6 percent of the population; the traditional Iman-San branch which represents 3 percent of the population; and the Kadiani branch which also represents 3 percent of the population. The country's small Christian community, although growing, constitutes less than 1 percent of the population. More than 100 separate Christian organizations or denominations operate freely throughout the country and include more than 1,000 congregations. Other religious organizations with small followings include the Vietnamese Cao Dai religion and the Baha'i Faith, with approximately 2,000 practicing members in each group.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels generally protects this right in full and does not tolerate its abuse, either by the Government or private actors. Buddhism is the state religion. The Government promotes national Buddhist holidays, provides Buddhist training and education to monks and others in pagodas, and modestly supports an institute that performs research and publishes materials on Khmer culture and Buddhist traditions. The law requires all religious groups, including Buddhists, to submit applications to the Ministry of Cults and Religious Affairs in order to construct places of worship and to conduct religious activities. Religious groups have not encountered significant difficulties in obtaining approval for construction of places of worship, but some Muslim and Christian groups report delays by some local officials in acknowledging that official permission has been granted to conduct religious meetings in homes. Such religious meetings generally take place unimpeded despite delay or inaction at the local level, and no significant constraints on religious assembly were reported during the period covered by this report.

Monks can move internally without restriction.

Government officials organize meetings for representatives of all religious groups to discuss religious developments and to address issues of concern.

*Restrictions on Religious Freedom*

Foreign missionary groups generally operated freely throughout the country and have not encountered significant difficulties in performing their work; however, there reportedly are occasional local constraints on evangelization by Christians in public places—especially in areas of new Christian religious activity—but these generally are resolved satisfactorily by the intervention of provincial or central government authorities. Government officials expressed appreciation for the work of many foreign religious groups in providing much needed assistance in education, rural development, and training. However, government officials also expressed some concern that foreign groups use the guise of religion to become involved in illegal or political affairs.

In October 2001, the Ministry of Cults and Religions issued a circular on “maintaining order in the Islamic religion in the Kingdom of Cambodia,” which would have imposed new restrictions on mosques, including requiring Ministry approval for certain normal activities, particularly those that involved contact with Muslim foreigners. The Prime Minister canceled the circular 3 days later, describing it as contrary to government policy on freedom of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among the religions in society contributed to religious freedom. The Constitution disallows discrimination based on religion, and minority religions experience little or no societal discrimination in practice. Adherents of the minority Muslim or Christian faiths reported few societal problems on religious issues. The Cham Muslims generally are integrated well into society, enjoy positions of prominence in business and in the Government, and face no reported persecution.

Occasional tensions have been reported among the various branches of Islam, which receive monetary support from groups in Saudi Arabia, Kuwait, Malaysia, or Indonesia depending on the tenets of the particular branch. Some Buddhists also have expressed concern about the Cham Muslim community receiving financial assistance from foreign countries.

There are ecumenical and interfaith organizations, which often are supported by funding from foreign public or private groups.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Embassy representatives met with some religious leaders and are in contact with representatives of religious nongovernmental organizations and other groups representing the Buddhist, Muslim, and Christian faiths. Embassy representatives have discussed religious freedom with officials from the Ministry of Cults and Religious Affairs.

**CHINA**

(Note: The Tibetan Autonomous Region (TAR) is discussed in a separate annex at the end of this report.)

The Constitution provides for freedom of religious belief and the freedom not to believe; however, the Government seeks to restrict religious practice to government-sanctioned organizations and registered places of worship and to control the growth and scope of the activity of religious groups. The Government tries to control and regulate religious groups to prevent the rise of groups that could constitute sources of authority outside of the control of the Government and the Chinese Communist Party (CCP), and it cracks down on groups that it perceives to pose a threat. Despite these efforts at government control, membership in many faiths is growing rapidly.

During the period covered by this report, the Government’s respect for freedom of religion and freedom of conscience remained poor, especially for many unregistered religious groups and spiritual movements such as the Falun Gong. The Government continued its crackdown on unregistered churches, temples, and mosques.

In general unregistered religious groups continued to experience varying degrees of official interference, harassment, and repression. Members of some unregistered religious groups, including Protestant and Catholic groups, were subjected to increased restrictions, including, in some cases, intimidation, harassment, and detention; however, the degree of restrictions varied significantly from region to region. In some localities, “underground” religious leaders reported increased pressure either to register with the Religious Affairs Bureau (RAB) and to be affiliated with and supervised by official party organizations linked to the legally recognized churches or to close their facilities. In other localities, officials worked closely with Buddhist, Catholic, and Protestant groups building schools, medical facilities, and retirement centers for poor communities. In the latter cases, local officials frequently encouraged Western religious groups to work in their communities to provide much needed social services, provided that the groups did not proselytize openly. Many religious adherents report that they are able to practice their faith in officially registered places of worship and to maintain contacts with coreligionists in other parts of the world without interference from the authorities. Official sources, religious professionals, and persons who attend services at both officially sanctioned and underground places of worship all report that the numbers of believers in the country continued to grow.

The communities of the five official religions—Buddhism, Islam, Taoism, Catholicism, and Protestantism—coexist without significant friction; however, in some parts of the country, relations between registered and unregistered Christian churches are tense.

The Government continued its repression of groups that it determined to be “cults” in general and of the Falun Gong in particular. Various sources report that thousands of Falun Gong adherents have been arrested, detained, and imprisoned, and that several hundred or more Falun Gong adherents have died in detention since 1999.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Department of State, the U.S. Embassy in Beijing, and the U.S. Consulates General in Chengdu, Guangzhou, Shanghai, and Shenyang made concerted efforts to encourage religious freedom. In Washington and in Beijing, in public and in private, U.S. officials repeatedly urged the Government to respect citizens’ rights to religious freedom. U.S. officials protested and asked for further information about numerous individual cases of abuse. The issue of religious freedom also was raised during the official U.S.-China dialog in October 2001. In October 2001, the Secretary of State designated China a country of particular concern under the International Religious Freedom Act for particularly severe violations of religious freedom. The country also was so designated in 1999 and 2000.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 3.5 million square miles, and its population is approximately 1.3 billion. According to an April 2002 government white paper, there are more than 200 million religious adherents, representing a great variety of beliefs and practices. According to this official publication, the country has more than 100,000 sites for religious activities, 300,000 clergy, more than 3,000 religious organizations, and 74 training centers for clergy. Most religious adherents profess eastern faiths, but tens of millions adhere to Christianity or Islam. Approximately 8 percent of the population are Buddhist, approximately 1.4 percent are Muslim, an estimated 0.4 percent belong to the official Catholic Church, an estimated 0.4 to 0.8 percent belong to the unofficial Vatican-affiliated Catholic Church, an estimated 0.8 to 1.2 percent are registered Protestants, and an estimated 2.4 to 6.5 percent worship in Protestant house churches that are independent of government control. There are no available estimates on the number of Taoists; however, according to a 1997 government publication, there are more than 10,000 Taoist monks and nuns and more than 1,000 Taoist temples.

Traditional folk religions (worship of local gods, heroes, and ancestors) have been revived, are practiced by hundreds of millions of citizens, and are tolerated to varying degrees as loose affiliates of Taoism, Buddhism, or ethnic minority cultural practices.

Buddhists make up the largest body of organized religious believers. The Government estimates that there are more than 100 million Buddhists, most of whom are from the dominant Han ethnic group. However, it is difficult to estimate accurately the number of Buddhists because they do not have congregational memberships and often do not participate in public ceremonies. The Government reports that there

are 16,000 Buddhist temples and monasteries and more than 320,000 nuns and monks.

According to government figures, there are 20 million Muslims, 35,000 Islamic places of worship, and more than 45,000 imams nationwide.

The unofficial, Vatican-affiliated Catholic Church claims a membership far larger than the 5 million persons registered with the official Catholic Church. Precise figures are impossible to determine, but Vatican officials have estimated that there are as many as 10 million adherents. According to official figures, the government-approved Catholic Church has 69 bishops, 5,000 clergy, and approximately 5,000 churches and meeting houses. There are thought to be some 37 bishops operating “underground,” 10 to 15 of whom may be in prison or under house arrest.

The Government maintains that there are as many as 15 million registered Protestants, 20,000 clergy, more than 12,000 churches, and approximately 25,000 registered Protestant meeting places. According to foreign experts, approximately 30 million persons worship in Protestant house churches that are independent of government control.

Estimates of the number of Falun Gong (or Wheel of the Law, also known as Falun Dafa) practitioners have varied widely; the Government claimed that prior to its harsh crackdown on the Falun Gong beginning in 1999, there may have been as many as 2.1 million adherents of Falun Gong in the country. Followers of Falun Gong claim that there are more than 100 million adherents worldwide. Some experts estimated that the true number of Falun Gong adherents in the country before the crackdown was in the tens of millions. One credible source estimated that there were 1 million Falun Gong practitioners in the country during the period covered by this report. Falun Gong blends aspects of Taoism, Buddhism, and the meditation techniques and physical exercises of qigong (a traditional Chinese exercise discipline) with the teachings of Falun Gong leader Li Hongzhi (a native of the country who lives abroad). Despite the spiritual content of some of Li’s teachings, Falun Gong does not consider itself a religion and has no clergy or places of worship.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religious belief and the freedom not to believe; however, the Government seeks to restrict religious practice to government-sanctioned organizations and registered places of worship, and to control the growth and scope of the activity of religious groups to prevent the rise of competing possible sources of authority outside of the control of the Government.

The Criminal Law states that government officials who deprive citizens of religious freedom may, in serious cases, be sentenced to up to 2 years in prison; however, there were no known cases of persons being punished under this statute.

The State reserves to itself the right to register and thus to allow to operate particular religious groups and spiritual movements. There are five officially recognized religions: Catholicism, Protestantism, Buddhism, Islam, and Taoism. For each faith there is a government-affiliated association that monitors and supervises its activities. The State Council’s Religious Affairs Bureau is responsible for monitoring and judging the legitimacy of religious activity. The RAB and the CCP United Front Work Department (UFD), both of which are staffed by officials who rarely, if ever, are religious adherents, provide policy “guidance and supervision” on the implementation of government regulations on religious activity, including the role of foreigners in religious activity.

There are six requirements for the registration of “venues for religious activity:” possession of a physical site; citizens who are religious believers and who regularly take part in religious activity; an organized governing board; a minimum number of followers; a set of operating rules; and a legal source of income. The Government officially permits only those churches affiliated with either the Catholic Patriotic Association or the (Protestant) Three-Self Patriotic Movement/Chinese Christian Council to operate legally. Some groups register voluntarily, some register under pressure, and the authorities refuse to register others. Some religious groups have been reluctant to comply with the regulations out of principled opposition to state control of religion or due to fear of adverse consequences if they reveal, as required, the names and addresses of church leaders. Unregistered groups also frequently claim that theological compromises, lack of doctrinal freedom, and stricter control over sermons by the RAB result from registration, which is why they do not register with the Government. Unofficial groups claimed that authorities often refused them registration without explanation. The Government contended that these refusals mainly were the result of these groups’ lack of adequate facilities.

In February 2002, Freedom House published secret documents purportedly issued by the Government between 1999 and 2001. The documents outlined the Government's intent to repress religious expression outside of government control, and to use harsh criminal penalties in a systematic effort to eliminate unregistered religious groups.

The Government has banned all groups that it has determined to be "cults," including the Falun Gong and the Zhong Gong movements (Zhong Gong is a qigong discipline with some mystical tenets). After the revised Criminal Law came into effect in 1997, offenses related to membership in unapproved cults and religious groups were classified as crimes of disturbing the social order. Most experts attribute the subsequent sharp rise in trials for this category of crimes to the new classification.

The Government took some steps during the period covered by this report to show respect for the country's Muslims, including by offering congratulations on major Islamic holidays. The Government permits, and in some cases subsidizes, Muslim citizens who make the Hajj (pilgrimage) to Mecca. According to official government statistics, more than 45,000 Muslims have made the trip to Mecca through neighboring countries, especially Pakistan, in the past several years; 5,000 made the Hajj in 1998, the last year for which such statistics are available. There have been non-governmental reports that fewer persons participated in 1999 and 2000; according to some estimates, less than 2,500 persons made the Hajj in each of those years. According to some reports, the major limiting factors for participation in the Hajj were the cost and controls on passport issuance.

During the period covered by this report, local officials destroyed several unregistered places of worship around the country; however, there were no reports of the widespread razing of churches in the eastern part of the country, as there were in the period covered by the previous report (particularly in the coastal city of Wenzhou). However, the Government also has restored or rebuilt churches, temples, mosques, and monasteries damaged or destroyed during the Cultural Revolution, and allowed the reopening of some seminaries, although the pace and scope of restoration activity has varied from locality to locality. Nonetheless, there are far fewer temples, churches, or mosques than existed 35 years ago.

The CCP Central Committee held a national religion work conference in Beijing from December 10 to 12, 2001. All senior members of the Party and senior government officials attended, and both President Jiang Zemin and Premier Zhu Rongji gave speeches. Many religious adherents hoped that the conference would result in a loosening of the registration requirements for underground places of worship. However, in late March 2002, RAB Deputy Director Wang Zuonan told reporters that, although the Government was prepared to introduce administrative measures that would enable mainstream religions to operate more smoothly, such changes might be ready only in "1 or 2 years." Some academics who attended believed that, as a result of the conference, the authorities might loosen registration requirements gradually for more mainstream religious groups while intensifying efforts to destroy "cults." No progress had been noted regarding the loosening of registration requirements by the end of the period covered by this report. However, following the conference, there was significant debate within the Party over the role religion should play in society, and some Party members criticized the traditional Marxist concept of opposing religion.

#### *Restrictions on Religious Freedom*

During the period covered by this report, the Government's respect for religious freedom and freedom of conscience remained poor, especially for members of some unregistered religious groups and spiritual movements such as the Falun Gong. The Government officially permits only those churches affiliated with either the Catholic Patriotic Association or the (Protestant) Three-Self Patriotic Movement/Chinese Christian Council to operate legally. The Government tends to perceive unregulated religious gatherings or groups as a potential challenge to its authority, and it attempts to control and regulate religious groups to prevent the rise of groups or sources of authority outside the control of Government and the CCP. During the period covered by this report, the Government continued its general crackdown on unregistered churches, temples, and mosques. Police closed underground mosques, temples, and seminaries, as well as some Catholic churches and Protestant "house churches," many with significant memberships, properties, financial resources, and networks, and banned groups that it considered to be "cults." Several unregistered church leaders reported growing pressure by local authorities to register after the December 2001 work conference on religion. Despite these efforts at control, official sources, religious professionals, and members of both officially sanctioned and underground places of worship all report that the number of religious adherents in the

country continued to grow. The Government also makes demands on the clergy or leadership of registered groups, for example requiring that they publicly endorse government policies or denounce Falun Gong. The Government continued its repression of the Falun Gong spiritual movement and of cults in general. As in past years, the Government moved against houses of worship outside its control that grew too large or espoused beliefs that it considered threatening to “state security.” Overall, the basic policy of permitting religious activity to take place relatively unfettered in government-approved sites and under government control remained unchanged.

Official tolerance for religions considered to be traditionally Chinese, such as Buddhism and Taoism, has been greater than that for Christianity, and these faiths often face fewer restrictions than the other recognized religions. However, as these non-Western faiths have grown rapidly in recent years, there were signs of greater government concern and new restrictions, especially on syncretic groups that blend tenets from a number of religious beliefs.

In 1995 the State Council and the CCP’s Central Committee issued a circular labeling a number of religious organizations “cults” and making them illegal. Among these were the “Shouters” (founded in the United States in 1962), Eastern Lightning, the Society of Disciples (Mentu Hui), the Full Scope Church, the Spirit Sect, the New Testament Church, and the Guan Yin (also known as Guanyin Famin, or the Way of the Goddess of Mercy). Subsequent orders in later years also banned the Lord God Sect, the Established King Church, the Unification Church, the Family of Love, the Dami Mission, and other groups.

In 1999 the Standing Committee of the National People’s Congress adopted a decision to ban all groups the Government determined to be cults, including the Falun Gong, under Article 300 of the Criminal Law. The Supreme People’s Court and the Supreme People’s Procuratorate also provided “explanations” on applying existing criminal law to the Falun Gong. The law, as applied following these actions, specifies prison terms of 3 to 7 years for “cult” members who “disrupt public order” or distribute publications. Under the law, cult leaders and recruiters may be sentenced to 7 years or more in prison.

During the period covered by this report, government repression of the Falun Gong spiritual movement continued. There have been thousands of cases of individuals receiving criminal, administrative, and extrajudicial punishment for engaging in Falun Gong practices, admitting that they believed in Falun Gong, or simply refusing to criticize the organization or its founder. The authorities and experts also wrote many articles characterizing the rise of religious groups that failed to register and cults such as Falun Gong as part of a plot by the West to undermine Chinese authority.

The authorities also continued their general crackdown on other groups considered to be “cults,” such as the Xiang Gong, Guo Gong, and Zhong Gong qigong groups, some of which reportedly had a following comparable to that of the Falun Gong. In August 2001, police in Jiangsu arrested Shen Chang, the leader of a qigong group, and charged him with organizing gatherings aimed at disturbing social order and tax evasion.

The Government continued, and in some places intensified, a national campaign to enforce 1994 State Council regulations and subsequent provincial regulations that require all places of religious activity to register with government religious affairs bureaus and come under the supervision of official, “patriotic” religious organizations. There was a great deal of variation in how local authorities handled unregistered religious groups. In certain regions, government supervision of religious activity was minimal, and registered and unregistered churches existed openly side by side and were treated similarly by the authorities. In such areas, many congregants worshipped in both types of churches. In other regions, local implementing regulations call for strict government oversight of religion, and authorities cracked down on unregistered churches and their members. For example, Zhejiang province has restrictive religious affairs regulations that stipulate that “illegal” property and income would be confiscated from those who: “1) preside over or organize religious activities at places other than those for religious activities or at places not approved by a religious affairs department; 2) do missionary work outside the premises of a place of religious activity; and 3) sponsor religious training activities without obtaining the approval of a religious affairs department at or above the county level.” Implementing regulations, provincial work reports, and other government and Party documents continued to exhort officials to enforce vigorously government policy regarding unregistered churches.

There are reports that, despite the rapidly growing religious population, it is difficult to register new places of worship even for the five officially recognized faiths.

Many house churches, which generally are made up of family members and friends, conduct activities similar to those of home Bible study groups, and were tol-

erated by the authorities as long as they remained small and unobtrusive. House churches reportedly encounter difficulties when their membership grows, when they arrange for the regular use of facilities for the specific purpose of conducting religious activities, or when they forge links with other unregistered groups.

In some areas, there were reports of harassment of churches by local RAB, attributed, at least in part, to financial issues. For example, although regulations require local authorities to provide land to registered church groups, some local officials were said to try to avoid doing so by denying registration. Official churches in some cases also face harassment if local authorities wish to acquire the land on which a church is located. In addition to refusing to register churches, there also were reports that RAB officials have requested illegal "donations" from churches in their jurisdictions as a means of raising extra revenue or that they sometimes appropriate a percentage of funds raised at local churches.

During the period covered by this report, local officials destroyed several unregistered places of worship around the country; however, there were no reports of the widespread razing of churches, as there were in the period covered by the previous report (particularly in the coastal city of Wenzhou). Folk religions have been labeled as "feudal superstition" and sometimes are repressed; local authorities have destroyed thousands of local shrines. In early 2002, according to the Guangzhou-based Southern Metropolis Daily newspaper, a squad of 90 policemen demolished a small Taoist temple in a central residential area of Guangzhou. The temple, which had escaped official notice for 20 years, was branded a "center of superstitious activity." In April 2001, the police demolished a partially constructed Catholic church in Hebei province for not having a proper building permit. Christian leaders in several parts of the country reported that local officials have been reluctant to return church property that was confiscated after the 1949 Communist revolution. Some observers cite the lack of adequate meeting space in registered churches as an explanation for the rapid rise in attendance at house churches and underground churches.

Both official and unofficial Christian churches have problems training adequate numbers of clergy to meet the needs of their growing congregations. Due to the restrictions on religion between 1955 and 1985, no priests or other clergy in the official churches were ordained during that period; most priests and pastors were trained either before 1955 or after 1985, resulting in a shortage of trained clerics between the ages of 35 and 65. Thus, as senior clerics over the age of 65 retire, there are relatively few experienced clerics to replace them. The Government permits registered religions to train clergy and allows limited numbers of Catholic and Protestant seminarians, Muslim clerics, and Buddhist clergy to go abroad for additional religious studies, but some religious students have had difficulty in obtaining approval to study abroad. In most cases, foreign organizations provide funding for such training programs. Some Catholic clerics also have complained that they were forced to bribe local RAB officials before being allowed to enter seminaries. Due to government prohibitions, unofficial or underground churches have particularly significant problems training clergy and many clergy receive only limited and inadequate preparation.

Most religious institutions depend upon their own resources to cover operating costs. Contributions from church members are common among both Catholics and Protestants. Frequently, religious institutions run side businesses selling religious items. Some run strictly commercial businesses such as restaurants. Sometimes the Government funds repairs for temples or shrines that have cultural or historic significance; however, there were reports that these funds were allocated only to registered churches, depending upon how cooperative with local authorities they were perceived to be.

The law does not prohibit religious believers explicitly from holding public office; however, Party membership is required for almost all high level positions in government and state-owned businesses and organizations, and Communist Party officials state that Party membership and religious belief are incompatible. This has a disproportionate effect in such minority-inhabited areas as Xinjiang and Tibet. The CCP reportedly has issued two circulars since 1995 ordering Party members not to adhere to religious beliefs and ordering the expulsion of Party members who belong to religious organizations, whether open or clandestine. High-ranking Communist Party officials, including President and CCP Party Secretary Jiang Zemin, also have stated that Party members cannot be religious adherents. Muslims allegedly have been fired from government posts for praying during working hours. The "Routine Service Regulations" of the People's Liberation Army (PLA) state explicitly that servicemen "may not take part in religious or superstitious activities." Party and PLA military personnel have been expelled for adhering to the Falun Gong spiritual movement.

However, according to government sources, up to 20 to 25 percent of Communist Party officials in certain localities engage in some kind of religious activity. Most officials who practice a religion are Buddhist or practice a form of folk religion. Religious figures who are not members of the CCP are included in national and local government organizations, usually to represent their constituency on cultural and educational matters. The National People's Congress (NPC) includes several religious leaders, including Pagbalha Geleg Namgyai, a Tibetan "living Buddha," who is a vice-chairman of the Standing Committee of the NPC. Religious groups also are represented in the Chinese People's Political Consultative Conference, a forum for "multiparty" cooperation and consultation led by the CCP, which advises the Government on policy.

In 1999 the Party's Central Committee issued a document directing the authorities to tighten control over the official Catholic Church and to eliminate the underground Catholic Church if it did not bend to government control. There has been increasing pressure by the Chinese Catholic Patriotic Association on underground Catholic bishops to join the official church, and the authorities have reorganized dioceses without consulting church leaders. The Government has not established diplomatic relations with the Holy See, and there is no Vatican representative on the mainland. The Government's refusal to allow the official Catholic church to recognize the authority of the Papacy in many fundamental matters of faith and morals has led many Catholics to reject joining the official Catholic church on the grounds that this denies one of the fundamental tenets of their faith. The Government insists that Catholic Patriotic Association officials, clergy, and believers be "patriotic" and "law abiding." When government policy and Papal authority conflict—as they do, for example, on abortion or birth control—state policy takes precedence, leaving priests with the dilemma of how to advise their practitioners.

Tensions between the Vatican and the Government have caused leadership problems within the official Catholic Church in the country due to the friction between some bishops who have been consecrated with secret Vatican approval (or who obtained such secret approval after their consecration) and others consecrated without such approval. While both Chinese and Vatican authorities state that they would welcome an agreement to normalize relations, problems concerning the role of the Pope in selecting bishops and the status of underground Catholic clerics have frustrated efforts to reach this goal. Most underground Catholic priests have indicated they are unwilling to accept the authority of bishops consecrated without Vatican approval. Newly nominated bishops seeking secret Papal approval frequently find themselves at odds with other church leaders who are sympathetic to the central Government, and who insist that consecrations of new bishops be conducted by bishops not recognized by the Vatican.

Priests or bishops who served in seminaries were disciplined if they did not overtly support official criticism of the Pope's October 1, 2000, canonization of 120 saints with ties to the country, many of whom had been killed during the Boxer Rebellion. The canonization, which occurred on the anniversary of the founding of the PRC, was seen by the Government as an affront. As disagreements between the Government and the Vatican intensified in 2000, there were reliable reports that the official Catholic seminary in Beijing forced most of its students to attend political training courses in lieu of theology courses. A number of Catholic seminarians who sided with the Vatican in the dispute resigned in opposition. In addition, foreign teachers at the official Catholic seminary in Xian were forced to leave the country after the head of the seminary criticized the Government's position in its dispute with the Vatican. However, many Catholic teachers at other sites continued to work as teachers.

There was evidence that the official Protestant seminary's "theological reconstruction campaign," during which fundamentalists were purged from the Nanjing Seminary, ended. There were no reports that seminary professors or of Protestant preachers were purged for holding theological perspectives that differed from those held by Bishop Ding Guangxun, national leader of the official Protestant church. Foreign teachers were invited to teach at both Catholic and Protestant seminaries during 2001 and 2002.

There are thriving Muslim communities in many areas, but government sensitivity to these communities varied widely. In areas where ethnic unrest has occurred, especially among the Uighurs in Xinjiang, officials continued to restrict the building of mosques and prohibited the teaching of Islam to children. In 2001 the authorities in Kashgar reportedly limited the traditional post-Ramadan celebration of rozi bayram, which usually lasts a number of days, to 2 days, and security was heavy during the celebrations. In addition to the restrictions on practicing religion seen throughout the country on Party members and government officials, in Xinjiang teachers, professors, and university students are not allowed openly to

practice religion. However, in other areas, particularly in areas populated by the Hui ethnic group, there was substantial mosque construction and renovation, and apparent freedom to worship. After a series of violent incidents in Xinjiang beginning in 1997 and continuing into 2002, including reported bombings in Xinjiang and other parts of the country attributed to Uighur separatists, police cracked down on Muslim religious activity and places of worship accused of supporting separatism in the Xinjiang Autonomous Region. Because the Xinjiang Uighur Autonomous Region government regularly lists together those involved in “ethnic separatism, illegal religious activities, and violent terrorism,” it often was unclear whether particular raids, detentions, arrests, or judicial punishments targeted those seeking to worship, those peacefully seeking their political goals, or those engaged in violence. Some Uighurs and other Muslims have accused the Government of using the ongoing war against terrorism as an excuse to intensify the repression of religious activity in Xinjiang.

Xinjiang provincial-level Communist Party and Government officials repeatedly called for stronger management of religious affairs and for the separation of religion from administrative matters. For example, on March 6, 2002, State Councilor Ismail Amat (an ethnic Uighur) told a delegation of National People’s Congress delegates that, “while enjoying the rights of religious freedom, the citizens who have religious beliefs must place the basic interests of the State and the people before everything else,” and that “we must not use the freedom of religious belief as an excuse to abandon or to dodge the management of religious affairs by the State.” The official Xinjiang Legal Daily newspaper reported that in recent years a township in Bay (Baicheng) County had found cases of “religious interference” in judicial, marriage, and family planning matters. In response, the authorities began conducting monthly political study sessions for religious personnel and the authorities began to implement more vigorously restrictions on the religious education of youths under the age of 18. In addition, they required every mosque to record the numbers and names of those attending each day’s activities. In 2000 the official Xinjiang Daily newspaper reported that Yining County had reviewed the activities of 420 mosques and had implemented a system of linking ethnic minority cadres to mosques in order to improve vigilance against “illegal religious activities.” The authorities also initiated a campaign to discourage overt religious attire such as veils and to discourage religious marriage ceremonies. There were numerous official media reports that the authorities confiscated “illegal religious publications” in Xinjiang.

Abbots and monks in predominantly Tibetan areas outside of the Tibetan Autonomous Region report that they have greater freedom to worship and conduct religious training than their coreligionists within the TAR. Diplomats have seen pictures of a number of Tibetan religious figures, including the Dalai Lama, openly displayed in parts of Sichuan, Qinghai, and Gansu provinces. However, beginning in June 2001, the Government ordered thousands of monks and nuns to leave the Serthar Tibetan Buddhist Institute (also known Larung Gar), located in the Ganze Tibetan Autonomous Prefecture in Sichuan Province. The Government maintained that the facility was reduced in size for sanitation and hygiene reasons. Critics argued that the authorities were concerned that many of the students at Serthar were ethnic Han Chinese who might become sympathetic to Tibetan issues. At its peak, it housed as many as 7,000 monks and nuns, including 1,000 Han Chinese, making it the largest concentration of monks and nuns in the country. Following the expulsions, the population dropped to approximately 1,400; by the end of the period covered by this report, the population had risen to approximately 4,000 monks and nuns. The authorities also destroyed the residences of many of the monks and nuns who had been at Serthar. Foreign observers believed that the authorities moved against the Institute because of its size and the influence of its charismatic founder, Khenpo Jigme Phuntsok. Officials continued to monitor the activities of Larung Gar, but Khenpo Jigme Phuntsok was able to return to Larung Gar by the end of the period covered by this report. According to the Tibet Information Network (TIN), the authorities carried out a similar campaign at Yachen Gar in Baiyul county, another major monastic encampment in Sichuan province. The authorities reportedly ordered more than 800 monks and nuns of the 6,000 to 7,000 total to leave the encampment by mid-October 2001. Hundreds of students from throughout China and from abroad reportedly had been studying at Yachen Gar prior to this action; foreign students reportedly were ordered to leave in 2001. In February 2002 a young Buddhist monk reportedly was arrested in Aba City, Sichuan for protest activity (handing out pictures of the Dalai Lama, posting pro-democracy leaflets, and distributing info on China’s human rights violations). He reportedly did not advocate Tibetan independence. (A discussion of government restrictions on Tibetan Buddhism in the TAR can be found in the Tibet annex to this report.)

In a growing number of areas, the authorities have displayed increasing tolerance of religious practice by foreigners. Weekly services of the foreign Jewish community in Beijing have been held uninterrupted since 1995, and High Holy Day observances have been allowed for more than 15 years. The Shanghai Jewish community has received permission from authorities to hold services on several occasions in an historic Shanghai synagogue, which was restored as a museum in 1998. Local authorities remain committed to allowing the use of the synagogue on a case-by-case basis for major holidays. The Church of Jesus Christ of Latter-Day Saints (Mormons) meets regularly in a number of cities, but its membership is limited strictly to the expatriate community.

The authorities permit officially sanctioned religious organizations to maintain international contacts that do not involve "foreign control." What constitutes "control" is not defined. Regulations enacted in 1994, and expanded in 2000, codified many existing rules involving foreigners, including a ban on proselytizing. However, for the most part, the authorities allowed foreign nationals to preach to other foreigners, to bring in religious materials for personal use, and to preach to Chinese citizens at churches, mosques, and temples at the invitation of registered religious organizations. Foreigners legally are barred from conducting missionary activities; however, foreign Christians teaching English and other languages on college campuses openly profess their faith with minimum interference from the authorities, as long as their proselytizing is low key. Many Christian groups throughout the country have developed close ties with local officials, in some cases operating schools and homes for the care of the aged. In addition, Buddhist-run private schools and orphanages in the central part of the country also offer training to teenagers and young adults. However, the Hong Kong Catholic Church's contacts with its mainland counterparts in the official Catholic Church remained on hold due to restrictions on religious groups imposed by the Government.

The increase in the number of Christians in the country has resulted in a corresponding increase in the demand for Bibles. One printing company, a joint venture with an overseas Christian organization, has printed 25 million Bibles since its founding in 1987, including Bibles in Braille and minority languages, such as Korean, Jingbo, Lisu, Lahu, Miao, and Yao. Although Bibles can be purchased at some bookstores, they cannot be ordered directly from publishing houses by individuals. However, they were available for purchase at most officially recognized churches, at which many house church members buy their Bibles without incident. Nonetheless, some underground Christians hesitated to buy Bibles at official churches because such transactions sometimes involve receipts that identify the purchaser. Foreign experts confirm reports of chronic shortages of Bibles in rural areas, mostly due to logistical problems in dissemination. The situation has improved due to improved distribution channels, including to house churches. Customs officials continued to monitor for the "smuggling" of Bibles and other religious materials into the country. On January 28, 2002, Hong Kong resident Li Guangqiang (Lai Kwong-keung) was sentenced to 2 years in prison for smuggling annotated versions of the Bible onto the mainland. Li had been detained in May 2001 and was released in early February 2002 on medical parole after Christian groups and political leaders around the world expressed concern over his detention. Two mainland colleagues of Li's, Lin Xifu and Yu Zhudi, were arrested along with him and remained in prison at the end of the period covered by this report. There have been credible reports that the authorities sometimes confiscate Bibles in raids on house churches.

The Government teaches atheism in schools. The participation of minors in religious education is prohibited by regulation, but enforcement varies widely from region to region. In some Muslim areas, minors attend religious schools in addition to state-run schools. In some areas, large numbers of young persons attend religious services at both registered and unregistered places of worship. Official religious organizations administer local Bible schools, 54 Catholic and Protestant seminaries, 9 institutes to train imams and Islamic scholars, and institutes to train Buddhist monks. Students who attend these institutes must demonstrate "political reliability," and all graduates must pass an examination on their theological and political knowledge to qualify for the clergy. The Government has stated that there are 10 colleges conducting Islamic higher education and 2 other Islamic schools in Xinjiang operating with government support. Some young Muslims study outside of the country in Muslim religious schools.

#### *Abuses of Religious Freedom*

During the period covered by this report, unapproved religious and spiritual groups remained under scrutiny and, in some cases, harsh repression. Although there was no significant change in the central Government's official policy toward religious freedom, the unremitting campaign against Falun Gong and other "heret-

ical cults,” plus frequent statements by senior leaders on the need to “strengthen religious work” (or increase supervision of religious groups by the RAB), had an inevitable spillover effect.

During the period covered by this report, there were numerous credible reports of abuse and even killings of Falun Gong practitioners by the police and other security personnel.

In some areas, security authorities used threats, demolition of unregistered property, extortion of “fines,” interrogation, detention, and at times beatings and torture to harass unofficial religious figures and followers.

Offenses related to membership in unapproved religious groups are classified as crimes of disturbing the social order. According to the Law Yearbook of China, arrests for disturbing the social order increased from 76,500 persons to more than 90,000 persons between 1998 and 1999, the most recent figures available. Most experts agree that this increase primarily was due to the Government’s crackdown, begun in mid-1999, on spiritual groups like Falun Gong, the Society of Disciples (Mentu Hui), evangelical Christian groups, and localized Buddhist groups such as the Guan Yin (also known as Guanyin Famin, or the Way of the Goddess of Mercy), Protestant house churches, and the underground Roman Catholic Church. Leaders of unauthorized groups in particular often are the targets of harassment, interrogations, detention, and physical abuse (including torture). Members of these groups also may be subject to such treatment. Religious groups that preach beliefs outside the bounds of officially approved doctrine (such as imminent coming of the Apocalypse, or holy war) or that have charismatic leaders often are singled out for particularly severe harassment. Some observers have attributed the unorthodox beliefs of some of these groups to undertrained clergy. Others acknowledge that some individuals may be exploiting the reemergence of interest in religion for personal gain.

Many religious leaders and adherents have been arrested and sentenced to prison terms. On February 5, 2002, a Xiamen court sentenced Huang Aiping, Li Wulong, and Ji Qingjun to 7 years in prison for “using a cult organization to violate the law.” The three were members of the Blood and Water Holy Spirit Full Gospel Preaching Team, which was founded in Taiwan and banned on the mainland in 1996 as an “illegal infiltration organization.” In December 2001, Gong Shengliang, founder of the South China Church, and his niece Li Ying were sentenced to death on a wide range of criminal charges, including rape, arson, and assault. Both remained in detention at the end of the period covered by this report while appealing their sentences. Two members of the South China Church claimed that police tortured them until they agreed to sign statements claiming that they had been raped by Gong. Other persons arrested along with Gong and his niece were sentenced to prison for periods varying between 2 years and life. There was an unconfirmed report that at least 14 persons were arrested while authorities sought Pastor Gong, many of whom allegedly were beaten and tortured. A group of Protestants in Liaoning continue to contest the November 2000 arrest of local house church leader Li Baozhi, who allegedly continues to be held for association with the banned Full Scope Church. Li reportedly was sentenced to 2 years of reeducation through labor; two other persons were sentenced to 1 year of reeducation through labor for association with the Full Scope Church. Liaoning Christians have visited Li in prison, petitioned local officials for his release, and published their complaints on the Internet. They have stated that Li and his church are not affiliated with the Full Scope Church.

Local authorities also use an administrative process to punish members of unregistered religious groups. Citizens may be sentenced by a nonjudicial panel of police and local authorities to up to 3 years in prison-like facilities called reeducation-through-labor camps. Many religious detainees and prisoners were held in such facilities during the period covered by this report. In December 2001, Shui Xinlong, Wang Maochen, and other leaders of the Society of Disciples (Mentu Hui) were sentenced to reeducation-through-labor in Lintao City, Gansu province. Qin Baocai and Mu Sheng, colleagues of Protestant house church leader Xu Yongze, continue to serve reeducation-through-labor sentences. The Government’s 1997 white paper on Religious Freedom stated that Xu had promoted a cult, preaching that the Apocalypse was near and asking worshippers to wait in public spaces for several consecutive days. Group members deny these allegations.

In Hebei where an estimated half of the country’s Catholics reside, friction between unofficial Catholics and local authorities continued. Hebei authorities have been known to force many underground priests and believers to choose between joining the official Church or facing punishment such as fines, job loss, periodic detentions, and, in some cases, having their children barred from school. Some Catholics have been forced into hiding. Again in 2002, the authorities detained Catholic underground Bishop Jia Zhiguo of Hebei for several days before the start of Holy

Week, allegedly in an attempt to pressure him to join the Chinese Catholic Patriotic Association. The whereabouts of underground Catholic Bishop Su Zhimin, whose followers reported that he was arrested in 1997, remained unclear, despite repeated inquiries from the international community on his status. Underground Catholic sources in Hebei claimed that he still was in detention, while the Government denied having taken “any coercive measures” against him. Reliable sources reported that Bishop An Shuxin, Bishop Zhang Weizhu, Father Cui Xing, and Father Wang Qianjun remained under detention in Hebei. According to several nongovernmental organizations (NGO’s), a number of Catholic priests and lay leaders were beaten or otherwise abused during the period covered by this report. Underground Catholic Bishop Joseph Fan Zhongliang of Shanghai remained under surveillance and often had his movements restricted. Roman Catholic Bishop Zeng Jingmu, released from a labor camp in 1998, reportedly was arrested in Jiangxi in September 2000, although the Government denied those reports. The authorities detained underground bishop Shi Enxiang on Palm Sunday 2001 in Beijing, although they later claimed that he had been released. In February 2000, in Fuzhou, Fujian province, a large group of police arrested underground Catholic Bishop Yang Shudao. The Government denied that the elderly Bishop was being detained; in response to official inquiries, they stated that he was receiving medical treatment. By the end of the period covered by this report, there was no new information on his whereabouts or physical condition.

Fujian Province clerics reported that, while there had been no recent signs of a general crackdown against underground Catholics as was seen in 1999 and 2000, the April 2001 detention of two underground priests led to a generalized fear that other detentions might follow. Protestant church members in some parts of the country complained that central government support for local crackdowns on Fujian-based Shouters and Hubei’s South China Church had created a sense of intimidation in their communities. Some underground Catholic and Protestant leaders reported increased pressure to register their congregations after the December 2001 Central Committee Work Conference on Religion.

Since the Government banned the Falun Gong in 1999 and began a comprehensive nationwide repression of the movement, the practice of Falun Gong or possession of its literature has been sufficient grounds for practitioners to receive punishments ranging from loss of employment and educational opportunities to imprisonment. Some Falun Gong members have been tortured in custody and there have been reports that several hundred or more Falun Gong adherents have died in detention since 1999. Falun Gong members who “disrupt public order” or distribute publications may be sentenced to 3 to 7 years in prison, and Falun Gong leaders may be sentenced to up to 7 years or more in prison.

According to some reports, the Government intensified its harsh and comprehensive campaign against the Falun Gong during the early spring of 2001. After the January 2001 self-immolations of five individuals claiming to be Falun Gong practitioners in Tiananmen Square, the Government initiated a comprehensive effort to round up practitioners not already in custody, and sanctioned the use of high pressure indoctrination tactics against such individuals in an effort to force them to renounce Falun Gong. Neighborhood committees, state institutions (including universities), and companies reportedly were ordered to send all known Falun Gong practitioners to intensive anti-Falun Gong study sessions. Even practitioners who had not protested or made other public demonstrations of belief were forced to attend such classes. Those who refused to recant their beliefs after weeks of intensive anti-Falun Gong instruction reportedly were sent to reeducation-through-labor camps, where, in some cases, beatings and torture were used to force them to recant their beliefs. These tactics reportedly resulted in large numbers of practitioners pledging to renounce the movement. Perhaps due to the decreased number of practitioners in those regions, the campaign against Falun Gong seemed to have abated in the eastern and southern parts of the country by mid-2002.

Police often used excessive force when detaining peaceful Falun Gong protesters. During the period covered by this report, there were numerous credible reports that police and security force personnel abused, tortured, and even killed Falun Gong practitioners. In February 2002, Chengdu University associate professor Zhang Chuansheng, a longtime Falun Gong practitioner, was arrested in his hometown and taken to Chengdu’s main prison, where he died 3 days later. His family, who saw Zhang’s body after his death, claimed that he had been beaten severely. Prison authorities claimed that he died of a heart attack.

According to the Falun Gong, hundreds of its practitioners have been confined to psychiatric institutions and forced to take medications or undergo electric shock treatment against their will.

Although more than a dozen Falun Gong practitioners have been sentenced to prison for up to 18 years for the crime of “endangering state security,” most Falun Gong members convicted of crimes by courts since 1999 have been sentenced to prison for “organizing or using a sect to undermine the implementation of the law,” a less serious offense. In addition, many thousands of Falun Gong practitioners are serving extrajudicial administrative sentences in reeducation-through-labor camps.

The number of protests by individuals or small groups of practitioners at Tiananmen Square and around the country decreased considerably during the period covered by this report. Many attributed the decrease to the public outcry following the January 2001 self-immolation of five Falun Gong adherents on Tiananmen Square. Others attribute the decline to the success of the Government crackdown on Falun Gong, which, by the end of 2001, essentially had eliminated public manifestations of the movement. In August 2001, four persons who allegedly organized the self-immolations were sentenced to prison terms ranging from 7 years to life. The authorities briefly detained foreign practitioners who attempted to unfurl Falun Gong banners in Tiananmen Square or pass out Falun Gong leaflets, generally deporting them after 1 or 2 days. Some foreign Falun Gong practitioners credibly reported being mistreated while in custody.

The tactic used most frequently by the central Government against Falun Gong practitioners has been to make local officials, family members, and employers of known practitioners responsible for preventing Falun Gong activities by individuals. In many cases, practitioners are subject to close scrutiny by local security personnel and their personal mobility is restricted tightly, particularly on days when the Government believes that public protests are likely.

Officials acknowledged arresting 18 Falun Gong members who hacked into a Changchun, Jilin province cable television station on March 5, 2002 and aired Falun Gong videos on the channel for approximately 45 minutes. Those arrested in connection with this incident were charged with damaging cable transmission lines, using a cult to hamper social order, and “interfering in the masses’ normal lives,” and could face prison sentences of 15 years or more. According to foreign media reports, Falun Gong practitioners interfered with cable television signals on several other occasions during the first half of 2002.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The communities of the five official religions—Buddhism, Islam, Taoism, Catholicism, and Protestantism—coexist without significant friction. However, in some parts of the country, there is a tense relationship between registered and unregistered Christian churches. There were reports of divisions within both the official Protestant church and the house church movement over issues of doctrine; in both the registered and unregistered Protestant churches there are conservative and more liberal groups. In other areas, the two groups coexist without problems. In general the majority of the population shows little interest in the affairs of the religious minority beyond visiting temples during festivals or churches on Christmas Eve or Easter. Religious/ethnic minority groups, such as Tibetans and Uighurs, experience societal discrimination, but this is not based solely upon their religious beliefs. Traditionally there also has been occasional tension between the Han and the Hui, a Muslim ethnic group.

### SECTION IV. U.S. GOVERNMENT POLICY

The Department of State, U.S. officials in Beijing, and the Consulates General in Chengdu, Guangzhou, Shanghai, and Shenyang make a concerted effort to encourage greater religious freedom in the country, using both focused external pressure on abuses and support for positive trends within the country. In exchanges with the Government, including with religious affairs officials, diplomatic personnel consistently urge both central and local authorities to respect citizens’ rights to religious freedom. U.S. officials protest vigorously whenever there are credible reports of religious harassment or discrimination in violation of international laws and standards, and request information in cases of alleged mistreatment in which the facts are incomplete or contradictory. At the same time, U.S. officials make the case to the country’s leaders that freedom of religion can strengthen, not harm, the country. In February 2002, President Bush gave a speech at Tsinghua University in Beijing that was broadcast nationwide, during which he called upon the Government to

show more religious tolerance. The U.S. Embassy and Consulates also collect information about abuses and maintain contacts with a wide spectrum of religious leaders within in the country's religious communities, including with bishops, priests, ministers of the official Christian churches, and Taoist, Muslim, and Buddhist leaders. U.S. officials also meet with leaders and members of the unofficial Christian churches. The Department of State's nongovernmental contacts include experts on religion in China, human rights organizations, and religious groups in the United States. The Department of State has sent a number of Chinese religious leaders and scholars to the United States on international visitor programs to see firsthand the role that religion plays in U.S. society. The Embassy also brings experts on religion from the United States to the country to speak about the role of religion in American life and public policy.

In July 2001, the Government agreed to resume the official U.S.China bilateral human rights dialog, which had been suspended since 1999. The dialog was held in October 2001 and religious freedom was a key agenda item.

Government officials occasionally have refused to grant meetings to U.S. Embassy officials who intended to raise religious freedom or other human rights issues. In April 2002, Religious Affairs Bureau officials refused to meet with the Department of State's Undersecretary for Global Affairs.

U.S. officials in Washington and Beijing have continued to protest individual incidents of abuse. On numerous occasions, both the Department of State and the Embassy in Beijing protested government actions to curb freedom of religion and freedom of conscience, including the arrests of Falun Gong followers, the crackdowns on Tibetan Buddhists and on Uighur Muslims in Xinjiang, and the arrests of Christian ministers and believers.

In October 2001, the Secretary of State designated China a country of particular concern under the International Religious Freedom Act for particularly severe violations of religious freedom. The country also was so designated in 1999 and 2000.

#### TIBET

(The United States recognizes the Tibet Autonomous Region (TAR) hereinafter referred to as "Tibet"—to be part of the People's Republic of China. The preservation and development of Tibet's unique religious, cultural, and linguistic heritage and protection of its people's fundamental human rights continue to be of concern.)

The Constitution of the People's Republic of China provides for freedom of religious belief and the freedom not to believe; however, the Government maintains tight controls on religious practices and places of worship in Tibet. Although the authorities permit many traditional religious practices and public manifestations of belief, they promptly and forcibly suppress those activities viewed as vehicles for political dissent, such as religious activities that are perceived as advocating Tibetan independence or any form of separatism (which the Chinese Government views as "splittist").

The Government strictly controls access to and information about Tibet, and it is difficult to determine accurately the scope of religious freedom violations. Religious practice faced ongoing restrictions during the period covered by this report, but overall enforcement of such restrictions was less strict than in the period covered by the previous report. Nonetheless, the level of religious repression in Tibet remained high, and the Government's record of respect for religious freedom remained poor.

Although the "patriotic education" campaign begun in the mid-1990's officially has concluded, patriotic education activities continued at a lower level of intensity. Core requirements of "patriotic education," such as the renunciation of the Dalai Lama and the acceptance of Tibet as a part of China, continue to engender resentment on the part of Tibetan Buddhists. Many monks and nuns continue to serve prison terms for their resistance to "patriotic education." There were reports of the death of religious prisoners, as well as the imprisonment and abuse or torture of monks and nuns accused of political activism.

Although the Christian population in Tibet is extremely small, some converts reportedly are subject to social pressure and some reportedly have been disinherited by family members who practice Buddhism.

The U.S. Government continued to encourage greater religious freedom in Tibet by urging the central government and local authorities to respect religious freedom, by protesting credible reports of religious persecution or discrimination, by discussing specific cases with the authorities, and by requesting information about specific incidents.

## SECTION I. RELIGIOUS DEMOGRAPHY

The TAR has a total area of 471,700 square miles, and according to the 2000 census, its official population is approximately 2.6 million. Most ethnic Tibetans practice Tibetan Buddhism. Many ethnic Tibetan government officials and some ethnic Tibetan Communist Party members quietly practice Tibetan Buddhism. While officials state that there is no Falun Gong activity in the TAR, reports indicate there are small numbers of practitioners among the ethnic Han population. Small numbers of Tibetan and Han Muslims and Christians also live in the region.

Chinese officials state that Tibet has more than 46,000 Buddhist monks and nuns and more than 1,700 monasteries, temples, and religious sites. Officials have cited these same figures since 1996, although since then the numbers of monks and nuns have dropped significantly at many sites as a result of the “patriotic education” campaign and the expulsion from monasteries and nunneries of many monks and nuns who refused to denounce the Dalai Lama or who were found to be “politically unqualified” to belong to religious orders. These numbers represent only the TAR; more than 100,000 monks and nuns live in other Tibetan areas of China, including parts of Sichuan, Yunnan, Gansu, and Qinghai provinces.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution of the People’s Republic of China provides for freedom of religious belief and the freedom not to believe; however, the Government seeks to restrict religious practice to government-sanctioned organizations and registered places of worship and to control the growth and scope of the activity of religious groups. The Government maintains tight controls on religious practices and places of worship in Tibet. Although the authorities permit many traditional religious practices and public manifestations of belief, they promptly and forcibly suppress those activities viewed as vehicles for political dissent, such as religious activities that are perceived as advocating Tibetan independence or any form of separatism (which the Government describes as “splittist”). The authorities also regularly require monks and nuns to make statements overtly supporting government or party policies on religion and history, to pledge themselves to support officially approved religious leaders and reincarnations, and to denounce the Dalai Lama.

The Government continued its harsh rhetorical campaign against the Dalai Lama and his leadership of a “government-in-exile.” The official press continued to criticize vehemently the “Dalai clique,” and in an attempt to undermine the credibility of his religious authority, repeatedly described the Dalai Lama as a “criminal” determined to split China. Both the central government and local officials often insist that dialog with the Dalai Lama essentially is impossible, and claim that his actions belie his repeated public assurances that he does not advocate independence for Tibet. Nonetheless, the Government asserts that the door to dialog and negotiation is open provided that the Dalai Lama publicly affirms that Tibet is an inseparable part of China. Since 1998 the Government also has required the Dalai Lama to affirm publicly that Taiwan is a province of China. The Government remains suspicious of Tibetan Buddhism in general due to its links to the Dalai Lama; this suspicion also applies to Tibetan Buddhist religious adherents who do not demonstrate explicitly their loyalty to the State.

The Government claims that since 1976 it has contributed sums in excess of \$40 million (approximately 300 to 400 million RMB) toward the restoration of tens of thousands of Buddhist sites, which were destroyed before and during the Cultural Revolution. Government funding of restoration efforts ostensibly was done to support the practice of religion, but also was done in part to promote the development of tourism in Tibet. Most recent restoration efforts were funded privately, although a few religious sites also were receiving government support for reconstruction projects at the end of the period covered by this report.

*Restrictions on Religious Freedom*

Buddhist monasteries and pro-independence activism are associated closely in Tibet, and the Government has moved to curb the proliferation of Tibetan Buddhist monasteries, which it charges are a drain on local resources and a conduit for political infiltration by the Tibetan exile community. The Government states that there are no limits on the number of monks in major monasteries, and that each monastery’s Democratic Management Committee (DMC) decides on its own how many monks the monastery can support. However, these committees are government-controlled, and in practice, the authorities impose strict limits on the number of monks in major monasteries. The Government has the right to disapprove any individual’s

application to take up religious orders, although these restrictions are not always enforced.

Although by regulation monks are not permitted to register and formally join a monastery prior to the age of 18, many younger boys in fact continue the tradition of entering monastic life. Young novices, who traditionally served as attendants to older monks while receiving a basic monastic education and awaiting formal ordination, continue to be admitted to some TAR monasteries. However, monasteries require government approval to admit trainee monks, and some monasteries have been unable to secure such approval. In some large monasteries young novices have been expelled in the past for being underage. Because these novices were not regular, registered members of the monasteries, the authorities denied that there was a significant decline in the numbers of monks at such sites. However, there were no reports of such expulsions during the period covered by this report.

Beginning in June 2001, Chinese authorities ordered thousands of monks and nuns to leave the Serthar Tibetan Buddhist Institute located in the Ganze Tibetan Autonomous Prefecture in Sichuan Province (also known as the Larung Gar monastic encampment). The authorities also destroyed the residences of many of the monks and nuns who had been at Serthar. Foreign observers believed that the authorities moved against the Institute because of its size and the influence of its charismatic founder, Khenpo Jigme Phuntsok. According to the Tibet Information Network (TIN), the authorities carried out a similar campaign at Yachen Gar in Baiyul county, another major monastic encampment in Sichuan province. The authorities reportedly ordered more than 800 of the 6,000 to 7,000 resident monks and nuns to leave the encampment by mid-October 2001. (see also Section II of the China International Religious Freedom Report for information on these incidents).

The Government continued to oversee the daily operations of major monasteries. The Government, which does not contribute to monasteries' operational funds, retains management control of the monasteries through the DMC's and the local religious affairs bureaus. In many areas, regulations restrict leadership of the DMC's to "patriotic and devoted" monks and nuns and specify that the Government must approve all members of the committees. At some major monasteries, government officials also sit on the committees.

With the advent of DMC responsibility for management of all monastery funds generated by entrance tickets or donated by pilgrims, funds no longer are made available to partially support monks engaged in full time study. Such "scholar monks" now must engage in income-generating activities at least part of the time. Experts are concerned that fewer monks will be qualified to serve as teachers in the future as a result. The erosion of the quality of religious teaching in the TAR continues to be a focus of concern. The quality and availability of high-level religious teachers in the TAR is inadequate, as many now are in exile, and older teachers are not being replaced.

Government officials state that the "patriotic education campaign," which began in the mid-1990's and dispatched work teams to conduct intensive mandatory political training sessions for nuns and monks at religious sites, is completed. Officials acknowledge, however, that "patriotic education" for monks and nuns continues on a regular basis at religious sites and that monks and nuns continue to undergo mandatory political training or "patriotic education." Training sessions are aimed at enforcing compliance with government regulations, and either cowing or weeding out monks and nuns who refuse to adopt the Party line and who remain sympathetic to the Dalai Lama. Sessions are conducted on topics such as relations between Tibetans and Han Chinese, Tibet's historical status as part of China, and the role of the Dalai Lama in attempting to "split" the country. Monks and nuns often are required to demonstrate their patriotism by signing a declaration agreeing to reject independence for Tibet; to reject Gendun Choekyi Nyima, the boy recognized by the Dalai Lama as the 11th reincarnation of the Panchen Lama; to reject and denounce the Dalai Lama; to recognize the unity of China and Tibet; and not to listen to the Voice of America or Radio Free Asia. Some non-compliant monks and nuns have been expelled from religious sites. Yet others departed "voluntarily" rather than denounce the Dalai Lama. Despite, and in some cases because of, these efforts to control the Buddhist clergy and monasteries, anti-government sentiment remains strong.

On average, approximately 2,500 Tibetans enter Nepal each year seeking refugee status to escape conditions in Tibet, according to the U.N. High Commissioner for Refugees (UNHCR). The UNHCR reported that 1,381 Tibetan refugees transited Nepal in 2001; significantly fewer than in previous years. The decline was due in part to the ongoing Maoist insurgency in Nepal. It is difficult for Tibetans to travel to India for religious purposes. Nevertheless, many Tibetans, including monks and nuns, visited India via third countries and returned to the TAR after temporary

stays. Tibetans can return from exile to the TAR, although the approval process is cumbersome.

After the Karmapa, the leader of Tibetan Buddhism's Karma Kargyu school and one of the most influential religious figures in Tibetan Buddhism, secretly left his home monastery and traveled to India in December 1999, the authorities increased efforts to exert control over the process for finding and educating reincarnated lamas. In January 2000, the Government approved the selection of 2-year-old Sonam Phuntsog as the 7th reincarnation of the Reting Rinpoche. However, the Dalai Lama, who normally must approve the selection of important religious figures such as the Reting Rinpoche, did not recognize the choice. Many of the monks at Reting Monastery reportedly did not accept the child as the Reting Rinpoche, and he lives with his family under heavy guard in his residence near the monastery; the authorities tightly controlled access to the area. Another young reincarnate lama, Pawo Rinpoche, who was recognized by the Karmapa in 1994 as the reincarnation of an important Karma Kargyu lineage, and is approximately 8 years of age, has been denied access to his religious tutors, and the authorities reportedly require him to attend a regular Chinese school. The Government continued to insist that Gyaltsen Norbu, the boy it selected in 1995, is the Panchen Lama's 11th reincarnation rather than Gendun Choekyi Nyima, who was selected by the Dalai Lama. The authorities tightly control all aspects of his life, and he has appeared publicly in Beijing and Tibet only on rare occasions. These public appearances were marked by a heavy security presence. At all other times, the authorities strictly limited access to the boy. The Panchen Lama is Tibetan Buddhism's second most prominent figure, after the Dalai Lama.

Government officials maintain that possessing or displaying pictures of the Dalai Lama is not illegal. Currently, possession of pictures of the Dalai Lama appears to be on the rise, and many Tibetan Buddhists discreetly display them in private. However, in at least one prefecture, possession of such pictures resulted in arrest during the period covered by this report. A ban on these pictures is enforced sporadically, and Tibetans are cautious about displaying them. Pictures of the Dalai Lama may not be purchased openly in the TAR.

The Government continued to ban pictures of Gendun Choekyi Nyima, the boy recognized by the Dalai Lama as the Panchen Lama. However, government authorities at both the regional and city levels have had pictures of Gyaltsen Norbu, the "official" Panchen Lama, printed for use in public and private religious displays, although very few photos of him are on display.

Some 1,000 religious figures hold positions in local people's congresses and committees of the Chinese People's Political Consultative Conference. However, the Government continues to insist that Communist Party members and senior government employees adhere to the Party's code of atheism. A 1999 campaign to promote atheism and science in government offices and schools appears to have wound down, although regular political training for government cadres continues to promote atheism. The campaign also was launched in part to stem "the Dalai clique's reactionary infiltration." The authorities threatened to terminate the employment of government employees whose children are studying in India, usually in schools run by the Tibetan refugee community, if they did not bring the children back to Tibet. Government officials stated that all Religious Affairs Bureau (RAB) officers are members of the Communist Party and that Party members are required to be atheists. However, some lower level RAB officials practice Buddhism.

Repression of religious freedom reached severe levels in Tibet in the summer of 2000. Communist Party officials and government workers (including such groups as teachers and medical workers) were forbidden to visit religious sites or practice religion at home. In some areas, private citizens were not permitted to change prayer flags on their homes, burn incense, participate in religious activities during the Tibetan New Year (Losar), or make the traditional "lingkor" (pilgrimage circuit around the sacred sites of Lhasa). These measures no longer were enforced strictly by the end of 2000. In February 2002, New Year celebrations were more open than those of the previous 2 years. Lhasa's major monasteries held large, active prayer festivals attended by pilgrims and Lhasa residents, although security reportedly was tight. The Sagadawa Festival in May 2002 was marked by similar lively celebrations and participation by pilgrims and city dwellers alike. However, in the past few years Tibetans have been forbidden to celebrate actively the Dalai Lama's birthday on July 6.

Travel restrictions were reported during the period covered by this report. Restrictions on the issuance of passports increased in early 2002. There were many reports of increased difficulty in obtaining internal travel permits for pilgrimages, and many travelers were unable to travel to the holy site of Mt. Kailash during 2001. Pilgrimages to Mt. Kailash have particular religious significance during 2002, and restric-

tions on internal travel permits, at least to Mt. Kailash, appear to have eased during the spring of 2002. The Government tightly controlled visits by foreign officials to religious sites and official foreign delegations had few opportunities to meet monks and nuns not previously approved by the local authorities.

*Abuses of Religious Freedom*

The Government strictly controls access to and information about Tibet, making it difficult to determine accurately the scope of religious freedom violations. Religious practice faced ongoing restrictions in 2001, but overall these restrictions were less harshly enforced than during the previous year. However, the level of repression in Tibet remained high and the Government's record of respect for religious freedom remained poor during the period covered by this report.

According to the TIN, at least 29 monks and nuns have died while in detention since 1987, of whom at least 17 had been held in Lhasa's Drapchi Prison. During the period covered by this report, there were additional accounts of prisoner deaths while in detention or soon after release. The TIN reported that a young monk, Kelsang Gyatso, died in August 2001 after a brief period of detention in Lhasa. Kelsang Gyatso was reportedly detained with a group of monks from Qinghai Province, who were attempting to travel to India via Nepal. Ngawang Lochoe (also known as Dondrub Drolma), a 28-year-old nun at Sandrup Dolma Lhakang temple, reportedly died in February 2001 after serving 9 years of a 10-year sentence for participating in "counterrevolutionary propaganda and incitement". She died the same day that she was moved to a hospital from Drapchi Prison, reportedly from respiratory and heart failure.

According to statistics from the TIN, as many as 120 Tibetan Buddhist monks and nuns were detained in China, a majority of whom were imprisoned in the TAR. In May 2002, the Deputy Director of the TAR Prison Administration Bureau stated that there were approximately 110 prisoners in the TAR incarcerated for "endangering state security." The majority of these persons are monks and nuns. Five of these prisoners subsequently were released. There were reports of imprisonment and abuse or torture of monks and nuns accused of political activism. Prisoners who resisted political reeducation imposed by prison authorities reportedly were beaten severely. Nun Ngawang Sangdrol is reported to suffer from the long-term effects of repeated severe beatings. Her prison sentence was extended for a third time in 1998 to a total of 28 years for taking part in demonstrations in prison. According to credible reports, her health is extremely poor and deteriorating. Government officials assert that she is in good health. Nun Phuntsog Nyidrol, who was sentenced in 1989 for counterrevolutionary propaganda and incitement, also continues to be in poor health. According to credible reports, she has been beaten severely during her incarceration in Drapchi prison. In 2001 her sentence was reduced by 1 year, and her release date is set for March 2005.

The Government continued to control the movements of Gendun Choekyi Nyima, whom the Dalai Lama recognized in 1995 as the 11th Panchen Lama (when he was 6 years old), along with his family. Government officials have claimed that the boy is under government supervision for his own protection and that he attends classes in Tibet as a "normal schoolboy." The actual location of Gendun Choekyi Nyima and his family remains unknown. All requests from the international community for access to the boy to confirm his whereabouts and his well being have been refused. In October 2000, government officials showed members of a foreign delegation two photographs that purportedly depicted the boy. Although the overwhelming majority of Tibetan Buddhists recognize the boy identified by the Dalai Lama as the Panchen Lama, Tibetan monks have claimed that they were forced to sign statements pledging allegiance to the boy the Government selected. The Communist Party also urged its members to support the "official" Panchen Lama.

Chadrel Rinpoche, the lama who was accused by the Government of betraying state secrets while helping the Dalai Lama choose the incarnation of the 11th Panchen Lama, was released from prison in January 2002, according to officials. While his 6-year sentence was expected to expire in May 2001, officials maintain that his January 2002 release was in accordance with his formal sentence. There are reports that Chadrel Rinpoche is being held under house arrest near Shigatse, but officials have not confirmed his whereabouts. They have stated that Chadrel Rinpoche is studying scriptures in seclusion. Nun Ngawang Choezom was released from prison on June 21, 2002, 9 months before the end of her sentence. She was detained in 1992 for advocating a free Tibet and sentenced to 5 years in prison, but in 1993 her sentence was extended to 11 years after a group of nuns, including Ngawang Choezom, secretly recorded songs about Tibetan independence. After prison protests in 1998, Ngawang Choezom reportedly was beaten severely and placed in solitary confinement. In addition, during the period covered by this report, three other nuns,

Tenzin Thubten, Ngawang Choekji, and Gyaltzen Drolkar, were released prior to the expiration of their sentences.

Following the December 1999 flight of the Karmapa, Urgyen Trinley Dorje, to India, authorities restricted access to the Tsurphu Monastery, the seat of the Karmapa, and reportedly increased “patriotic education” activities there. The Karmapa stated that he left because of controls on his movements and the refusal either to allow him to go to India to be trained by his spiritual mentors or to allow his mentors to come to him. Following his flight, the TIN reported that at least two Tsurphu monks were arrested and that the Karmapa’s parents were placed under surveillance. Government officials denied that there were any arrests or that the Karmapa’s parents have faced restrictions of any kind. Nonetheless, in January 2001, the TIN reported that conditions at Tsurphu remain tense, with a permanent police presence and intensified restrictions on monks that appear to be aimed at discouraging them from following their spiritual teacher into exile. The TIN also reported that no new monks are being permitted to enter the monastery.

Since Falun Gong was banned in July 1999, there have been reports of detentions of Falun Gong practitioners in Tibet. The number of practicing Falun Gong practitioners in Tibet is believed to be small.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Most Tibetans practice Tibetan Buddhism. Although the Christian population in Tibet is extremely small, some ethnic Tibetan converts reportedly are subject to social pressure and some reportedly have been disinherited by Buddhist family members.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Department of State, the U.S. Embassy in Beijing, and the U.S. Consulate General in Chengdu made a concerted effort to encourage greater religious freedom in Tibet. In regular exchanges with the Government, including with religious affairs officials, U.S. diplomatic personnel consistently urged both central government and local authorities to respect religious freedom in Tibet. Embassy officials protested and sought further information on cases whenever there were credible reports of religious persecution or discrimination. On numerous occasions, the U.S. Embassy, including the Ambassador and other senior officers, raised the cases of religious prisoners and reports of religious persecution with government officials. U.S. diplomatic personnel stationed in the country also regularly traveled to Tibet to monitor conditions, including the status of religious freedom. U.S. officials maintain contacts with a wide spectrum of religious figures, and the U.S. Department of State’s nongovernmental contacts include experts on religion in Tibet and religious groups in the United States.

In July 2001, the Government agreed to resume the official U.S.China bilateral human rights dialog, which had been suspended since 1999. The dialog was held in October 2001 and religious freedom was an agenda item.

In October 2001, the Secretary of State designated China a country of particular concern under the International Religious Freedom Act for particularly severe violations of religious freedom.

### HONG KONG

The Basic Law (Hong Kong’s mini-constitution) provides for freedom of religion, Hong Kong’s Bill of Rights Ordinance prohibits religious discrimination, and the Government generally respects these provisions in practice. After its July 1, 1997 reversion to the sovereignty of the People’s Republic of China (PRC), Hong Kong retained autonomy through its designation as the Hong Kong Special Administrative Region (HKSAR) of China.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. The main area of concern during the period covered by this report was the authorities’ approach to adherents of the spiritual movement Falun Gong, who were unable to secure permission to rent a public facility for an annual international conference, were not allowed to demonstrate directly in

front of the entrance to the Central People's Government Liaison Office, and had banners confiscated on one occasion.

The generally amicable relationship among religions in society contributed to religious freedom. Six of the largest religious groups long have collaborated in a collegium on community affairs and make up a joint conference of religious leaders.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Consulate General officers meet regularly with religious leaders.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The HKSAR occupies 422 square miles on more than 200 islands and the mainland, and its population is approximately 6.8 million. Approximately 43 percent of the population participate in some form of religious practice. The two largest religions are Buddhism and Taoism. Approximately 4 percent of the population are Protestant, 3 percent are Roman Catholic, and 1 percent are Muslim. There also are small numbers of Hindus, Sikhs, and Jews. Representatives of the spiritual movement Falun Gong state that their practitioners number approximately 500, although HKSAR government officials claim that the number is lower.

There are 1,300 Protestant congregations representing 50 denominations. The largest Protestant denomination is the Baptist Church, followed by the Lutheran Church. Other major denominations include Seventh-Day Adventists, Anglicans, Christian and Missionary Alliance groups, the Church of Christ in China, Methodists, Pentecostals, and the Church of Jesus Christ of Latter-Day Saints (Mormons).

There are approximately 600 Buddhist and Taoist temples, approximately 800 Christian churches and chapels, 4 mosques, a Hindu temple, a Sikh temple, and a synagogue. The Catholic population is served by 310 priests, 60 monks, and 525 nuns with traditional links to the Pope. More than 278,000 children are enrolled in 314 Catholic schools and kindergartens. The Assistant Secretary General of the Federation of Asian Bishops' conference has his office in the HKSAR. Protestant churches run 3 colleges and more than 700 schools. Religious leaders tend to focus primarily on local spiritual, educational, social, and medical needs. However, some religious leaders and communities maintain active contacts with their mainland and international counterparts. Catholic and Protestant clergy have been invited to give seminars on the mainland, to teach classes there, and to develop two-way student exchanges. Numerous foreign missionary groups operate in and out of the HKSAR.

There has been marked growth in the number of independent churches since the 1970's.

A wide range of faiths is represented in the HKSAR Government, the judiciary, and the civil service. A large number of influential non-Christians receive a Christian education.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Basic Law, the HKSAR's mini-constitution, provides for freedom of religion, the Bill of Rights Ordinance prohibits religious discrimination by the HKSAR Government, and the HKSAR Government generally respects these provisions in practice. The HKSAR Government at all levels generally protects religious freedom in full, and does not tolerate its abuse, either by governmental or private actors. Although a part of the PRC since July 1, 1997, the HKSAR maintains autonomy in the area of religious freedom under the "one country, two systems" concept that defines the HKSAR's relationship to the mainland. The HKSAR Government does not recognize a state religion, and a wide range of faiths is represented in the HKSAR Government, the judiciary, and the civil service.

Religious groups are not required to register with the HKSAR Government and are exempted specifically from the Societies Ordinance, which requires the registration of nongovernmental organizations (NGO's). Catholics in the HKSAR recognize the Pope as the head of the Catholic Church. The spiritual movement widely known as Falun Gong, which does not consider itself a religion, is registered, practices freely, and holds regular public demonstrations against Central People's Government policies. However, in March 2002, 16 Falun Gong practitioners were arrested and later convicted of obstruction of public space and minor assault outside the Central People's Government Liaison Office. The case was pending appeal at the end of the period covered by this report. Falun Gong practitioners held an international conference in a government-owned facility in January 2001, held a number of public protests during President Jiang Zemin's visit in May 2001, and regularly organized

public demonstration outside PRC offices. In addition, in July 2000, a publisher of Falun Gong publications reserved prominent space at the annual Hong Kong International Book Fair, but decided to leave the space vacant. Other qigong groups, including Zhong Gong (which was banned in the mainland in late 1999), Xiang Gong, and Yan Xin Qigong, also are registered and practice freely in the HKSAR. The Taiwan-based Guan Yin Method, another group listed as an “evil cult” by the Central People’s Government, is registered legally and practices freely in the HKSAR as well.

The Home Affairs Bureau is responsible for religion-related policy, but functions as a liaison between religious groups and the HKSAR Government. If a religious group wishes to purchase a site to construct a school or hospital, it works with the Lands Department; otherwise, church-affiliated schools work with the Education and Manpower Bureau and church-affiliated hospitals work with the Health and Welfare Bureau. The HKSAR Government has taken no action on draft educational reforms (which would have affected all schools, including religiously sponsored schools) that were proposed more than 2 years ago.

Representatives of 6 of the largest religious groups (Buddhist, Taoist, Confucian, Roman Catholic, Muslim, and Anglican) comprise 40 members of the 800-member Election Committee, which chooses the HKSAR’s Chief Executive and a number of Legislative Council members.

The HKSAR Government grants public holidays to mark numerous special days on the traditional Chinese and Christian calendars, as well as Buddha’s birthday.

Religious groups have a long history of cooperating with the HKSAR Government on social welfare projects. For example, the HKSAR Government often funds the operating costs of schools and hospitals built by religious groups.

#### *Restrictions on Religious Freedom*

Under the Basic Law the Central People’s Government does not govern religious practices in the HKSAR, mainland Government leaders, the Central People’s Government’s official representatives in the HKSAR, and the two mainland-owned newspapers in the HKSAR have criticized some HKSAR religious and spiritual groups and individuals. In December 2000 in Macau, Central People’s Government President Jiang Zemin stated that the HKSAR Government should not allow anyone to stage any activities in Macau against the Central People’s Government or to split the country in any way; in his speech he made it clear that his comments applied equally to both Hong Kong and Macau.

One Basic Law provision calls for ties between HKSAR religious organizations and their mainland counterparts to be based on “non-subordination, noninterference, and mutual respect.” HKSAR religious leaders have noted that this provision could be used to limit such ties. In April 2000, central authorities reportedly accused a HKSAR religious leader of violating this noninterference clause by criticizing Central People’s Government religious policies; since then, that leader has not sought permission from Central People’s Government authorities to visit the mainland. However, the traditional ties of the HKSAR Catholic Church to the Vatican have not precluded its contacts with the official Catholic Church on the mainland. In September 2000, HKSAR-based Central People’s Government officials urged HKSAR’s Catholic Church to keep “low key” its celebrations of the October 1 canonization by the Pope of 120 foreign missionaries and Chinese Catholics who had been martyred in China. However, the HKSAR Catholic Church did not alter its extensive plans to mark the occasion.

Although the spiritual group Falun Gong remains free to practice, organize, and conduct public demonstrations, concern increased about pressure from Central People’s Government authorities and their supporters to limit the group’s activities during the period covered by this report. After intense expressions of local and international concern, the HKSAR Government announced in July 2001 that it had no plans to pursue anti-cult legislation. The number of Falun Gong practitioners in the HKSAR is reported to have dropped from approximately 1,000 to about 500 since the crackdown on the mainland began in mid-1999, although HKSAR government officials claim that the number is lower for both periods. After some HKSAR publishing houses declined to publish Falun Gong materials, the Falun Gong shifted the majority of its publishing to companies based elsewhere. One bookstore owned by a Falun Gong practitioner carried Falun Gong books. Some other bookstores refused to carry Falun Gong books, although this could be due to lack of demand. In December 2000, four newspapers printed Falun Gong advertisements protesting Central People’s Government repression of its members. Three other newspapers, however, refused to print the advertisement; one based its refusal on the grounds that the advertisement was “defamatory of the Central People’s Government,” and under HKSAR law there are legal penalties for defamatory material. Following intense

criticism of the HKSAR Government by pro-mainland organizations for allowing the Falun Gong to hold its annual conference in an HKSAR Government-run facility in January 2001, Falun Gong organizers have not been able to host a followup conference. The group's applications to rent both government administered and privately owned facilities repeatedly have been turned down.

Especially during the period prior to President Jiang Zemin's visit in May 2001, senior HKSAR officials made remarks critical of the Falun Gong, even stating that the group was an "evil cult," but senior leaders did not repeat such comments during the period covered by this report. Falun Gong practitioners have been able to demonstrate and to gain publicity for their movement during the period covered by this report.

In 2001, the HKSAR Government barred entry into Hong Kong of approximately 100 Falun Gong practitioners, most of whom were seeking to enter the HKSAR from the United States, Australia, the United Kingdom, and Taiwan. The HKSAR Government cited undefined "security reasons" for entry bans of Falun Gong practitioners and denied that its actions were based on the individuals' religious beliefs or membership in any particular organization. Nonetheless, several hundred local and foreign resident-Falun Gong practitioners were allowed to demonstrate freely on numerous occasions and at numerous venues during President Jiang's May 2001 visit.

In March 2002, police arrested 16 Falun Gong practitioners, including 4 Swiss citizens, who were demonstrating in front of the Liaison Office; the criminal trial of the practitioners on charges of obstruction and minor assault began in June 2002 and had not concluded by the end of the period covered by this report. According to press reports, in June 2002, the HKSAR Government refused entry to approximately 100 Falun Gong practitioners who had come from Asia and Europe to join local demonstrations during celebrations to commemorate the HKSAR's return to mainland sovereignty. In June 2002 the HKSAR government barred an American Falun Gong practitioner from entering Hong Kong for "security" reasons. In November 2001, police confiscated Falun Gong protesters' placards and banners on the grounds of public obstruction. Although the protesters were warned of additional confiscation if they persisted, the protests continued through the end of the year with no further police action.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among the various religious communities are amicable; however, a few HKSAR Buddhist leaders and one evangelical Christian leader have issued statements critical of Falun Gong and warned against the danger of "cults."

Two ecumenical bodies facilitate cooperative work among the Protestant churches and encourage local Christians to play an active part in society. Six of the largest religious groups (Buddhist, Taoist, Confucian, Roman Catholic, Anglican and Muslim) long have collaborated in a collegium on community affairs and make up the joint conference of religious leaders.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the HKSAR Government in the context of its overall dialog and policy of promoting human rights. Consulate General officers at all levels have made clear U.S. Government interests in the full protection and maintenance of freedom of religion, conscience, expression, and association. Consulate General officers meet regularly with religious leaders and community representatives.

### MACAU

On December 20, 1999, Macau reverted from Portuguese to Chinese administration (the handover) and became the Macau Special Administrative Region (MSAR) of the People's Republic of China (PRC) with a high degree of autonomy. Both the Basic Law (mini constitution) and the Religious Freedom Ordinance provide for freedom of religion and prohibit discrimination on the basis of religious practice, and the MSAR Government generally respects these rights in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. However, while in general the Government does not interfere with the practices of Falun Gong, a spiritual movement that does not consider itself a religion, police at times photographed and took some practitioners to the police station to check their identification during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Officers at the U.S. Consulate General in Hong Kong also are responsible for Macau, and meet regularly with Macau religious leaders.

#### SECTION I. RELIGIOUS DEMOGRAPHY

Macau has a total area of 13 square miles, and its population is approximately 450,000. According to 1996 census figures, of the more than 355,000 persons surveyed, 60.9 percent had no religious affiliation, 16.8 percent were Buddhist, 13.9 percent were “other” (followers of a combination of Buddhist, Taoist, and Confucian beliefs), 6.7 percent were Roman Catholic, and 1.7 percent were Protestant. The number of active Falun Gong practitioners declined from approximately 100 persons to approximately 20 after the movement was banned in mainland China in July 1999.

Members of the Government, the judiciary, and the civil service belong to a wide range of faiths.

Missionaries are active in the MSAR, and represent a wide range of faiths; the majority are Catholic.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

On December 20, 1999, Macau reverted from Portuguese to Chinese sovereignty and became the Macau Special Administrative region of the PRC. The Basic Law—the mini-constitution—provides for freedom of conscience, freedom of religious belief, freedom to preach, and freedom to conduct and participate in religious activities. The Freedom of Religion Ordinance, which remained in effect after the handover, provides for freedom of religion, privacy of religious belief, freedom of religious assembly, freedom to hold religious processions, and freedom of religious education. The MSAR Government generally respects these rights in practice; however, there was at least one incident of police detention of Falun Gong demonstrators.

There is no state religion.

The Religious Freedom Ordinance requires religious organizations to register with the MSAR’s Identification Services Office. There have been no reports of discrimination in the registration process.

Missionaries are free to conduct missionary activities and are active in the MSAR. More than 30,000 children are enrolled in Catholic schools, and a large number of influential non-Christians have received a Christian education. Religious entities may use electronic media to preach.

The Freedom of Religion Ordinance stipulates that religious groups may maintain and develop relations with religious groups abroad. The Catholic Church in the MSAR recognizes the Pope as the head of the Church. In April 2001, the Holy See appointed a Coadjutor Bishop for the MSAR diocese. Editorials in the local Catholic newspaper cited the appointment as an example of the MSAR Government’s independence and respect for religious freedom as provided for in the Basic Law.

##### *Restrictions on Religious Freedom*

Practitioners of Falun Gong have not applied for registration with the Identification Services Office because a lawyer advised them that their group’s application for registration would not be approved, as the Falun Gong was banned in mainland China in July 1999. The Identification Services Office has not issued any instructions regarding the Falun Gong, and senior MSAR government officials have reaffirmed that local practitioners of Falun Gong may continue their legal activities without government interference.

According to Falun Gong practitioners, the group’s materials, once available for sale in two stores, were removed from shelves by store management after Falun Gong was banned on the mainland. However, the Government has taken no action to limit the availability of such materials.

During the period covered by this report, Falun Gong practitioners continued their daily exercises in public parks; however, in September 2001, one group that had demonstrated outside the Central People's Government Liaison Office was photographed by the police and taken to a nearby police station. The group had demonstrated in support of fellow Falun Gong members on the mainland. The police questioned members of the group and checked their identification; no one was charged.

During the second anniversary celebration of the MSAR's handover, in December 2001, there were no reports of any police harassment of local Falun Gong members. PRC officials did not attend the event, unlike the previous year's celebration, during which PRC President Jiang Zemin's visit to the MSAR was marked by the barring of entry to the MSAR of dozens of foreign Falun Gong practitioners and democracy activists and the detention of 20 practitioners at a park near the celebration. The authorities claimed that the entry of the foreign practitioners and activists into the MSAR in December 2000 was barred on the basis that nonresident foreigners do not have the right to assemble and demonstrate in the MSAR. In April 2001, a female Falun Gong practitioner from Hong Kong was barred from entering Macau despite statements by the Chief Executive that there was no political blacklist of persons from Hong Kong. The police continue to keep a list of unwelcome persons who have criminal records and persons whom they believe have criminal intentions. However, Falun Gong activists reported that they have traveled to Macau at times without interference.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among the various religious communities are amicable. Citizens generally are very tolerant of other religious views and practices. Public ceremonies and dedications often include prayers by both Christian and Buddhist groups.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the MSAR Government in the context of its overall dialog and policy of promoting human rights. Officers from the Consulate General in Hong Kong meet regularly with Macau religious leaders.

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## TAIWAN

The Constitution provides for freedom of religion, and the authorities generally respect this right in practice. There was no change in the status of respect for religious freedom during the period covered by this report, and the authorities' policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The American Institute in Taiwan discusses religious freedom issues with the authorities in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

Taiwan is a group of islands located in the Western Pacific Ocean off the east coast of mainland China, with a total area of approximately 13,800 square miles and a population of approximately 23 million. While the authorities do not maintain separate official statistics on religious affiliation, registration statistics suggest that of the total population, approximately 5,486,000 (23.9 percent) are Buddhist; 4,546,000 (19.8 percent) are Taoist; 887,000 (3.9 percent) follow I Kuan Tao; 605,000 (2.6 percent) are Protestant; 298,000 (1.3 percent) are Roman Catholic; 260,000 (1.1 percent) follow Tien Ti Chiao (Heaven Emperor Religion); 200,000 (0.9 percent) follow Tien Te Chiao (Heaven Virtue Religion); 187,000 (0.8 percent) follow Liism; 150,000 (0.7 percent) follow Hsuan Yuan Chiao (Yellow Emperor Religion); 100,000 (0.4 percent) follow Maitraya Great Tao; 96,000 (0.4 percent) follow the Chinese Holy Religion; 53,000 (0.2 percent) are Sunni Muslim; 31,500 (0.1 percent) follow

Hai Tzu Tao (Innocent Child Religion); and 30,000 (0.1 percent) follow Tien Li Chiao (Heaven Reason Religion). In addition approximately 16,000 persons are adherents of the Baha'i Faith; 12,500 follow Confucianism; 3,200 follow the Maitraya Emperor Religion; 1,000 follow Ta I Chiao (Great Changes Religion); and 1,000 are adherents of the Mahikari Religion. The non-Catholic Christian denominations include: Presbyterians, True Jesus, Church of Jesus Christ of Latter-Day Saints (Mormons), Baptists, Lutherans, SeventhDay Adventists, Episcopalians, and Jehovah's Witnesses. There also are a small number of adherents of Judaism. More than 70 percent of the indigenous population (Aborigines) are Christian. The majority of religious adherents either are Buddhist or Taoist, but a large percentage consider themselves both Buddhist and Taoist. Approximately 50 percent of the population regularly participate in some form of organized religious practice. Almost 14 percent of the population are believed to be atheist.

In addition to practicing another religion, many persons also follow a collection of beliefs that are deeply ingrained in Chinese culture, and that can be referred to as "traditional Chinese folk religion." These beliefs include, but are not limited to, shamanism, ancestor worship, magic, ghosts and other spirits, and aspects of animism. Such folk religion may overlap with an individual's belief in Buddhism, Taoism, Confucianism, or other traditional Chinese religions. There also may be an overlap between practitioners of such religions as Buddhism, Taoism, and Confucianism, and practitioners of Falun Gong, whose numbers have grown rapidly in recent years to as many as 100,000. Observers have estimated that as much as 80 percent of the population believes in some form of traditional folk religion.

Religious beliefs cross political and geographical lines. Members of the political leadership practice various faiths. Officials from across the political spectrum were among the thousands of persons who visited an exhibition of a sacred Buddhist relic on loan from the Chinese Buddhist Association in Beijing, which was on tour in Taiwan from February to March 2002 under the auspices of a Buddhist temple in Foguangshan, Kaosiung County. However, some pro-independence elements criticized the loan of the relic by the Beijing association as politically motivated.

Foreign missionary groups are active in Taiwan, including the Church of Jesus Christ of Latter-Day Saints and Jehovah's Witnesses.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the authorities generally respect this right in practice. The authorities at all levels strive to protect this right in full, and do not tolerate its abuse, either by the authorities or private actors. There is no state religion.

Although registration is not mandatory, 19 religious organizations have registered with the Ministry of the Interior. Religious organizations may register with the central authorities through their island-wide associations under the Temple Management Law, the Civic Organizations Law, or the chapter of the Civil Code that governs foundations and associations. While individual places of worship may register with local authorities, many choose not to register, and operate as the personal property of their leaders. Registered organizations operate on a tax-free basis and are required to make annual reports of their financial operations. In the past, concern over abuse of tax-free privileges or other financial misdeeds occasionally prompted the authorities to deny registration to new religions whose doctrines were not clear; however, there were no reports that the authorities sought to deny registration to new religions during the period covered by this report.

Religious instruction is not permitted at the elementary, middle, or high school levels in public or private schools that have been accredited by the Ministry of Education. Religious organizations are permitted to operate schools, but religious instruction is not permitted in those schools if they have been accredited by the Ministry of Education. If the schools are not accredited formally by the Ministry of Education, they may provide religious instruction. High schools may provide general courses in religious studies, and universities and research institutions have religious studies departments. Religious organizations operate theological seminaries.

Foreign missionary groups operate freely.

The Ministry of the Interior promotes interfaith understanding among religious groups by sponsoring symposiums, or helping to defray the expenses of privately sponsored symposiums on religious issues.

### *Restrictions on Religious Freedom*

The authorities' policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Relations among the various religious communities are generally amicable. The Taiwan Council for Religion and Peace, the China Religious Believers Association, and the Taiwan Religious Association are private organizations that promote greater understanding and tolerance among adherents of different religions. These associations and various religious groups occasionally sponsor symposiums to promote mutual understanding.

SECTION IV. U.S. GOVERNMENT POLICY

The American Institute in Taiwan discusses religious freedom issues with the authorities in the context of its overall dialog and policy of promoting human rights. The American Institute is in frequent contact with representatives of human rights organizations and occasionally meets with leaders of various religious communities.

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**FIJI**

The 1997 Constitution provides for freedom of religion, and the caretaker Government generally respected this right in practice. In February 2001, the Court of Appeals found that the Constitution remains in force, despite its purported abrogation by insurgent forces in mid-2000.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

SECTION I. RELIGIOUS DEMOGRAPHY

The country consists of more than 300 islands, 100 of which are inhabited; most of the population is concentrated on the main island of Viti Levu. The country's total area is approximately 6,800 square miles, and its population is approximately 800,000 persons, according to information from the Bureau of Population in 2001. Among the 3 major religions, there are 449,482 Christians, 264,173 Hindus, and 54,323 Muslims. The largest Christian denomination is the Methodist Church, which claims 218,000 members. Other Protestant denominations and the Roman Catholic Church also have significant followings. The Methodist Church is supported by the majority of the country's chiefs and remains influential in the ethnic Fijian community, particularly in rural areas. There also are a small number of non-denominational Christian sects.

Religion runs largely along ethnic lines. The population is split largely between two main ethnic groups: Indigenous Fijians who constitute approximately 51 percent; and Indo-Fijians, who constitute 44 percent. Most Indo-Fijians practice Hinduism; most indigenous Fijians follow Christianity. Other ethnic communities include Chinese and European persons. Approximately 60 percent of the Chinese community practice Christianity and 40 percent practice Confucianism or some form of ancestor worship. The European community is predominantly Christian.

The Hindu faith is predominant within the Indo-Fijian community; the Muslim (Sunni) minority makes up approximately 10 percent of the Indo-Fijian community. Both the Hindu and Muslim communities have a number of active religious and cultural organizations.

There are numerous Christian missionary organizations that are nationally and regionally active in social welfare, health, and education. Many major Christian denominations, notably the Methodist Church, have missionaries in the country; they operate numerous religious schools, including colleges, which are not subsidized by the Government.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The 1997 Constitution provides for freedom of religion, and the present caretaker Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse. Citizens have the right, either individually or collectively, both in public and private, to manifest their religion or belief in worship, observance, practice, or teaching. There is no state religion, although the Methodist Church is working to establish a Christian state. Religious groups are not required to register. The Government does not restrict foreign clergy and missionary activity, or other typical activities of religious organizations.

Major observances of all three major religions are celebrated as national holidays, including Christmas, Easter, Diwali, and Mohammed's birthday. The Government partly sponsors an annual ecumenical prayer festival.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion; however, the role of religion continues to be a political issue. Methodist Church authorities and allied political parties continue to work for the establishment of a Christian state. The Church has displayed strong nationalist sympathies, and a letter of support from the head of the Methodist Church, Reverend Tomasi Kanilagi, to George Speight, the leader of the May 19, 2000, armed takeover of Parliament, was made public in the press in June 2001. In the letter, Reverend Kanilagi publicly expressed his intention to use the Methodist Church as a forum under which to unite all ethnic Fijian political parties for the elections scheduled for August 2001. The meetings held for this purpose were not subjected to the same stringent permit restrictions as other political gatherings. Those parties dominated by Indo-Fijians do not support the establishment of a Christian state and insist that church and state should remain separate.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. While relations generally are cordial between the two largest religious communities, Christian and Hindu, there were two incidents of vandalism directed against Hindu places of worship, in May and June 2001. In addition, in August 2001, a Catholic church was desecrated. The Hindu religious group Sanatan indicated that it believes that the attacks against its places of worship were isolated incidents and not indicative of greater intolerance. The perpetrators of all three acts of vandalism never have been identified, and the police treated them as isolated incidents.

Civil society is heavily Christian, and the New Testament is quoted frequently in letters to newspaper editors. Christian religious sources have stated several times that their view on religious tolerance is that it is "not a matter of being Christian, but instead accepting Jesus Christ as your Savior."

Muslim religious leaders continued to press for the establishment of separate Islamic courts for their minority community; however, there were no new developments on the issue during the period covered by this report.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy has disseminated public diplomacy materials related to political and religious freedom across a wide spectrum of society. The Embassy continued to make religious freedom an important part of its effort to promote democracy and human rights.

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**INDONESIA**

The Constitution provides for "all persons the right to worship according to his or her own religion or belief," and states that "the nation is based upon belief in

one supreme God” and the Government generally respects these provisions; however, there are some restrictions on certain types of religious activity and on unrecognized religions. The Government has given official recognition in the form of representation at the Ministry of Religious Affairs to five major faiths—Islam, Catholicism, Protestantism, Hinduism and Buddhism. In January 2000, former President Abdurrahman Wahid lifted the ban on the practice of Confucianism that had existed since 1967 and in May 2000 a decree banning the Baha’i Faith and the Rosicrucians was lifted. In June 2001, the Government lifted its ban on the Jehovah’s Witnesses. While only the five above-mentioned religions are officially recognized, the law also states that other religions are not forbidden.

There was no change in the status of respect for religious freedom during the period covered by this report. There is widespread tension between Muslims and Christians that has erupted into localized violent conflicts in recent years. A small minority of extremists, primarily from outside the conflict areas, have exploited and exacerbated the violence. Ongoing conflicts between Muslims and Christians resulted in the deaths of at least 125 persons and the displacement of 390,000 others during the period covered by this report. During late 2001, the Government worked to end Muslim-Christian violence in Central Sulawesi and the Moluccas by dispatching thousands of soldiers and police officers to the area and by brokering peace agreements between the two communities in December 2001 and February 2002. The agreements reduced but did not end the violence. Among other issues, economic factors have contributed to the conflicts, which increasingly have been expressed in religious terms. In both Central Sulawesi and the Moluccas, lax law enforcement and the halting of efforts to disarm Muslim fighters has allowed violence to continue despite the new peace agreements. The Government has been criticized over the conduct of the military in conflict areas. Some military units were accused of siding with their coreligionists, both Muslim and Christian, and supporting combatants, either directly or indirectly. The lack of an effective government response to punish perpetrators and prevent further attacks continued to lead to allegations that officials were complicit in some of the incidents or, at a minimum, allowed them to occur with impunity.

Religiously motivated violence elsewhere also included threats and occasional attacks by Muslims on entertainment establishments such as restaurants, bars, billiard clubs, and nightclubs by the Islamic Defenders Front (FPI) and other radical groups that deemed such establishments to be immoral. These threats and attacks occurred mainly in Jakarta, on the island of Java. The Government took no action against the perpetrators of such attacks and some observers linked the police to the FPI. In Jakarta Surabaya, and other cities local leaders ordered some nightspots to close during the Muslim fasting month of Ramadan. However, enforcement of the orders was lax, and many such businesses remained open.

In a few municipalities, groups attempted to force Muslim women to cover their heads with scarves per conservative Muslim custom. As part of the debate over constitutional reform, some political parties have advocated the adoption of Islamic law (Shari’a). However, the country’s largest Muslim organizations remain opposed to the idea, as are secular political parties, which hold a majority in Parliament. As part of the Special Autonomy Law, the Government allowed local lawmakers to introduce Shari’a in Aceh; however, no legislation was passed as of the end of the period covered by this report.

In the easternmost province of Papua (formerly Irian Jaya), local residents expressed concern over the arrival of the Islamic extremist group Laskar Jihad, which has active organizations in at least half of the province’s 14 districts. In the Papuan city of Sorong, local residents were vocal in their opposition to the group, which was held responsible for terrorizing and killing Christians in the Moluccas and Sulawesi.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. During the period covered by this report, the U.S. Government actively engaged with religious leaders and with the Ministry of Religion, and facilitated a number of interfaith conferences and seminars. These activities involved scholars and university students, and emphasized the importance of religious freedom and tolerance in a pluralistic society.

#### SECTION I: RELIGIOUS DEMOGRAPHY

The country is an archipelago of 17,000 islands covering a total area of approximately 1.8 million square miles (approximately 0.7 million miles are land mass), and its population is 206 million according to the 2000 census. The island of Java is home to half of the population. The latest available data, from 1990, indicate that 87 percent of the population were Muslim, 6.0 percent were Protestant, 3.6 percent

were Catholic, 1.8 percent were Hindu, 1.0 percent were Buddhist, and 0.6 percent were "other," which includes traditional indigenous religions, other Christian groups, and Judaism. There is evidence that suggests that since 1990—and particularly with the recent lifting of restrictions on faiths such as Confucianism—the number of persons professing a religion other than Islam or Christianity may have increased slightly. There is no information available on the number of atheists (partly because some official identity documents require a religion to be listed); however, their numbers are believed to be minuscule.

Muslims are the majority population (at least 51 percent or more) in most regions of Java, Sumatra, Kalimantan, West Nusa Tenggara, Sulawesi, and North Maluku. Muslims are distinct minorities only in Papua, Bali, East Nusa Tenggara, and parts of North Sumatra and North Sulawesi. Most Muslims are Sunni, although there are adherents of the Shi'a, Amadiyah, Sufi, and other branches of Islam. The mainstream Muslim community roughly is divided into two groups: urban "modernists" who closely adhere to scriptural orthodox theology while embracing modern learning and modern concepts; and rural, predominantly Javanese "traditionalists" who are led by charismatic religious scholars and who often are organized around Islamic boarding schools. The "modernists" are represented by the 35 million strong Muhammadiyah social organization, which has branches throughout the country. The "traditionalists" are represented by the 40 million strong Nahdlatul Ulama (NU) social organization, which is concentrated in Java.

There also are small numbers of messianic Islamic groups, including the Malaysian-affiliated Darul Arqam and the Indonesian Jamaah Salamulla (or Salamulla Congregation). The latter, led by a woman who claims to have been appointed by the Angel Gabriel, is thought to have approximately 100 members. Amadiyah followers claim that their leader Mirza Ghulam Ahmad was an Indian Muslim prophet and that anyone can become a prophet. The Amadiyahs have 242 branches spread throughout much of the country; there are 8 Amadiyah mosques in Jakarta. There also are approximately 50 Shi'a groups in the country. Another messianic group, Negara Islam Indonesia (NII), increased its informal recruitment and is campaigning to turn the country into an Islamic state. The NII traces its origins to an armed movement that was defeated by the military in the 1960s.

Most Christians reside in the eastern part of the country. Roman Catholicism is predominant in much of East Nusa Tenggara province and in southeast Maluku province, while Protestantism is predominant in the central part of Maluku province and in North Maluku and in North Sulawesi provinces. In Papua Protestants predominate in the north, and Catholics in the south—this situation is the result of a Dutch colonial policy, continued by the Indonesian Government after independence, of dividing the territory between foreign Catholic and Protestant missionaries. Other significant Christian populations are located in North Sumatra, the seat of the Batak Protestant Church. There also are significant Christian populations in West Kalimantan (mostly Catholic) and Central Kalimantan (mostly Protestant) and on Java. Many urban ethnic Chinese citizens adhere to Christian faiths or combine Christianity with Buddhism or Confucianism.

Representatives of the Jehovah's Witnesses state that there are approximately 16,500 adherents in the country, not including children, and that an equal number are actively studying the religion. There are no independent estimates available.

Over the past 3 decades, internal migration, both government-sponsored and spontaneous, has altered the demography of the country. In particular it has increased the percentage of Muslims in the predominantly Christian eastern part of the country. By the early 1990's, Christians became a minority for the first time in some areas of the Moluccas. Some Christians believe that the Government intentionally has sought to alter the demographic balance of the eastern part of the country by resettling Muslims in the area and providing various subsidies for those who settled spontaneously. While government-sponsored transmigration of citizens from heavily populated Java, Madura and Bali to more sparsely populated areas of the country contributed to the increase in the Muslim population in the areas of resettlement, there is no evidence to suggest that creating a Muslim majority in Christian areas was the objective of this policy, and most Muslim migration was spontaneous. Regardless of its intent, the economic consequences of the transmigration policy contributed to the current religious conflicts in Papua, the Moluccas and Sulawesi.

Most Hindus live in Bali, where they account for over 90 percent of the population. Balinese Hinduism has developed various local characteristics that distinguish it from Hinduism as practiced on the Indian subcontinent. There also is a significant Hindu minority (called "Keharingan") in Central Kalimantan and East Kalimantan, East Java, Lampung (Sumatra), the city of Medan (North Sumatra), South and Central Sulawesi, and Lombok (West Nusatenggara). Some of these Hin-

dus left Bali for these areas as part of the government's transmigration program. The Hindu Association, Pansada Hindu Dharma (PHDI), estimates that Medan is home to approximately 4,000 ethnic Chinese Hindus. Hindu groups such as Hare Krishna also are present in the country. In addition there are some indigenous faiths, including the Keharingan in Central Kalimantan (site of the first Hindu Kingdom in the country) and the "Naurus" on Seram Island (Maluku province). The Naurus practice a combination of Hindu and animist beliefs, and many also have adapted some Protestant principles.

Among the country's Buddhists, an estimated 70 percent practice the Mahayana school. Theravada followers account for another 20 percent, with the remaining adherents belonging to the Tantrayana, Tridharma, Kasogatan, Nichiren, and Maitreya schools. According to the Indonesian Youth Buddhist Council (MBI), 40 percent of the country's Buddhists are ethnic Chinese. The MBI was part of the Indonesian Great Sangha Conference (KASI). Another and somewhat older Buddhist organization active nationally is the Indonesian Buddhist Council (WALUBI), which has affiliates from all of the schools. Relations between the WALUBI and the KASI deteriorated during the period covered by this report. The WALUBI members were angered by the cancellation of a presidential visit, which is widely believed to have been orchestrated by the KASI, to the Borobudur temple in Yogyakarta, Central Java during the May 2002 Waisak festival.

The number of adherents of Confucianism in the country is unclear. The national census, carried out every 5 years, no longer enables respondents to identify themselves as Confucian. But in 1976-1977, the last year in which the category was included, 0.7 percent of the population was self-identified as Confucian, according to the Supreme Council for Confucian Religion in Indonesia (MATAKIN). Since that census the proportion of practicing Confucians probably has increased slightly, because the Government's decision to lift restrictions on Confucianism has made it easier to practice Confucianism. The MATAKIN estimates that 95 percent of the country's Confucians are ethnic Chinese, with the balance being mostly indigenous Javanese. The majority of Confucians are located on Java, Bangka Island, North Sumatra, North Sulawesi, West Kalimantan, Central Kalimantan, and North Maluku. Many Confucians also practice Buddhism and Christianity. Before the ban on Confucianism was lifted in 2000, Confucian temples usually were located inside Buddhist temples.

Animism and other types of traditional belief systems, generically termed "Aliran Kepercayaan," still are practiced in Java, Kalimantan, and Papua. Many of those who practice Kepercayaan describe it as more of a meditation-based spiritual path than a religion. Many animists combine their beliefs with one of the Government-recognized religions.

There are several dozen Jews in Surabaya, East Java, where the nation's only synagogue is located. A member of that congregation stated that many of its members are senior citizens, but due to natural attrition, the size of the congregation is declining. There also is a small Jewish community in Jakarta.

Falun Gong estimates that it has 2,000 to 3,000 followers in the country. Representatives of the group state that 25 percent of the group's members are of Chinese descent. The country's largest Falun Gong gatherings reportedly occur in Bali.

There are no data available on the religious affiliations of foreign nationals and immigrants.

A limited number of foreign, primarily Christian, missionaries operate in predominantly Christian areas in regions such as Papua and Kalimantan.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for "all persons the right to worship according to his or her own religion or belief," and states that "the nation is based upon belief in one supreme God" and the Government generally respects these provisions; however, there are some restrictions on certain types of religious activity and on unrecognized religions.

The Ministry of Religious Affairs extends official status to only five faiths—Islam, Catholicism, Protestantism, Buddhism, and Hinduism. Religious organizations other than the five recognized faiths are able to register with the Government, but only with the State Ministry for Culture and Tourism, and only as social organizations. This results in restrictions on certain types of religious activities and on religions with fewer domestic followers. While the Government had in recent years taken steps to normalize the status of Confucians and Jehovah's Witnesses, it failed to accord them and members of other less-represented faiths equal treatment, in such areas as civil registration. Religions that are not permitted to register are precluded

from renting venues to hold services. Any religion that cannot register is forced to find alternative means to practice their faith.

The Government permits the practice of the indigenous belief system of Kepercayaan, but only as a cultural manifestation, and not as a religion; followers of "Aliran Kepercayaan" must register with the Ministry of Education's Department of National Education. Some religious minorities—specifically those of the Baha'i Faith and the Rosicrucians—were allowed to operate openly, following a May 2000 decree that lifted a ban on their activities. Other minority faiths such as Zoroastrianism, Shintoism and Taoism legally also are permitted.

Although Islam is the religion of the vast majority of the population, the country is not an Islamic state. Over the past 50 years, many fundamentalist Islamic groups sporadically have sought to establish an Islamic state, but the country's mainstream Muslim community, including influential organizations such as the Muhammadiyah and the NU, continued to reject the idea. Proponents of an Islamic state argued unsuccessfully in 1945 and throughout the parliamentary democracy period of the 1950's for the inclusion of language (the so-called "Jakarta Charter") in the Constitution's preamble, making it obligatory for Muslims to follow Shari'a. During the Suharto regime, advocacy of an Islamic state was forbidden. With the loosening of restrictions on freedom of speech and religion that followed the fall of Suharto in May 1998, proponents of the "Jakarta Charter" have resumed their advocacy efforts. The secular political parties and appointed police, military, and functional representatives, who together hold a majority of the seats in the People's Consultative Assembly (MPR), (which has the power to change the Constitution), oppose proposals to amend the Constitution to include Shari'a. The Muhammadiyah, the NU and many prominent Muslim clerics also oppose such a change.

Shari'a was a source of intense national debate and concern during the period covered by this report. During 2001 Parliament enacted legislation that granted Aceh, a Muslim province on the northwestern tip of Sumatra, Special Autonomy Status. As part of this status, authority for the province to implement Shari'a was announced on January 1, 2002. Permission for Aceh's regional legislature to apply Shari'a in the province was granted, as long as the application of Shari'a did not violate national law. Although the central Government spoke of having "granted" Islamic law to Aceh, there was disagreement among legal scholars over the legality of Shari'a in Aceh. By the end of the period covered by this report, the Acehnese parliament did not pass the necessary legislation for Shari'a to be implemented. If the enabling legislation is passed, it would allow Aceh to establish a court system based on Shari'a. Individuals sentenced under Shari'a in Aceh will have the right of appeal to the Supreme Court. The new law also will allow the Acehnese to restrict the freedom to choose one's religion; for example, Muslims would be forbidden to convert. The Government also has assured the public that Shari'a law would not apply to non-Muslims in Aceh, but debate in the People's Representative Assembly (DPR) continues over whether Shari'a would apply to all Acehnese residents or only to Muslims.

In light of the Government's decision to allow Aceh to apply aspects of Shari'a and the implementation of national legislation granting greater regional autonomy (Law 22/1999 on Regional Autonomy and Presidential Decree 25/2000), a number of provincial parliaments were deliberating whether to impose Shari'a law in their provinces during the period covered by this report. In October 2000, Muslim leaders in South Sulawesi issued a statement that Muslims in the province were ready to accept Shari'a law, and they formed a committee (the KPPSI) to prepare for its implementation. On April 24, 2001, the KPPSI issued the "Makassar Declaration" announcing the enactment of Shari'a law in South Sulawesi and forwarded the document to the DPR Chairman, Akbar Tandjung, for parliamentary consideration and approval. The declaration was pending at the end of the period covered by this report. Provincial legislatures in Banten (Java), Gorontalo (Sulawesi), Maluku, North Maluku, Riau (Sumatra), and South Kalimantan provinces also were considering implementation of Shari'a.

The Government requires that official religions comply with a number of Ministry of Religious Affairs and other ministerial directives in their registration and activities. Among these are the Regulation on Building Houses of Worship (Joint-Ministerial Decree No. 1/1969); the Guidelines for the Propagation of Religion (Ministerial Decision No. 70/1978); Overseas Aid to Religious Institutions in Indonesia (Ministerial Decision No. 20/1978); and Proselytizing Guidelines (No. 77/1978).

The law allows conversion between faiths, and such conversions do occur, although some converts to minority religions feel compelled not to publicize the event for family and social reasons. However, there is a legal requirement to adhere to the official state ideology, Pancasila, and because its first tenet is belief in one supreme God, atheism is forbidden.

Religious instruction is required for students in elementary and secondary public schools. In theory students are free to choose from five types of classes, representing the five recognized faiths—Islam, Catholicism, Protestantism, Buddhism and Hinduism. However, in practice few schools offer classes in all of the officially recognized faiths, and in many schools only one class was offered. Consequently, a Muslim boy in a Catholic-majority region, for example, might be unable to avoid receiving religious instruction in Catholicism at school and vice versa. Although school enrollment is not a point of contention, the fact that interdenominational courses are not always available, make some members of minority religions resent having to subject their children to what they call “indoctrination.”

There are 13 political parties directly or partially affiliated with Islam: the United Development Party (PPP); the Star and Crescent Party (PBB); the Justice Party (PK); the Indonesian Muslim Awakening Party (KAMI); the Islamic Members’ Party (PUI); the People’s Development Party (PKU); the Masyumi Islamic Political Party (PPIM); the New Masyumi Party (Masyumi Baru); the United Islamic Party (PSII 1905); the Nahdlatul Members Party (PNU); the Unity Party (PP); the Democratic Islamic Party (PID), and the National United Solidarity Party (PSUN). Former leaders of the Muhammadiyah and the NU led nationalist parties, the National Mandate Party (PAN) and the National Awakening Party (PKB), which attempted to draw heavily on grass-roots support from their former Islamic social organizations.

The country has three Christian parties: the National Indonesian Christian Party (KRISNA); the Catholic Democratic Party (PKD); and the Democratic People’s Devotion Party (PDKB). There is only one Buddhist party: the Indonesian Buddhist Party (Partai Budis Indonesia, or PARBUDI). Members of the Buddhist group KASI reportedly plan to form a party called the Buddhist Democratic Party of Indonesia (Partai Buddha Demokrat Indonesia). In the 1999 elections, the 3 Christian parties received relatively few votes, while the 15 Muslim parties together garnered approximately 30 percent of the vote. Of the Muslim parties, those with moderate views on the role of Islam in government and society dominated. Parties that strongly advocated an Islamization of government policy won a small percentage of the vote and few parliamentary seats.

Within the armed forces, religious facilities and programs are provided at all major housing complexes for members of the five officially recognized religions. These facilities and programs were overseen by the Center for Mental Development. Each branch of the armed forces had an Agency for Mental Development chaired by a Chief of Spiritual Development. Christians often have their own prayer groups that meet on Fridays, coinciding with the Muslim prayer day. In the past, there was a dedicated Religious Corps in the military, with all faiths represented, but it was eliminated during the Suharto regime. Some officers are qualified as preachers and perform this function as a voluntary additional duty, but civilian religious leaders conduct most religious services on military posts. Organized services and prayer meetings are available for members of each recognized religion. Although every military housing complex was required to provide a mosque, a Catholic Church, a Protestant Church, and worship centers for Buddhists and Hindus, smaller compounds rarely offered facilities for all five recognized religions, in part because no adherents to the smaller faiths were represented at every facility.

Religious groups and social organizations must obtain permits to hold religious concerts or other public events. Permits usually are granted in an unbiased manner, unless there is concern that the activity could anger members of another faith who live in the area.

Religious speeches are permitted if they are delivered to coreligionists and are not intended to convert persons of other faiths. However, televised religious programming is not restricted, and viewers can watch religious programs offered by any of the recognized faiths. In addition to many Muslim programs, ranging from religious instruction to talk shows on family issues, there are many Christian programs, including ones featuring televangelists, as well as programs by and for Buddhists and Hindus.

Some Muslim, Christian, Hindu, and Buddhist holidays are celebrated as national holidays. Muslim holidays celebrated during the period covered by this report included: the Ascension of the Prophet (October 4); Idul Fitri (December 6 and 7); Idul Adah (February 23); the Muslim New Year (March 15); and the Prophet’s Birthday (May 25). Nationally celebrated Christian holidays were: Christmas Day (December 25); Good Friday (March 29), and the Ascension of Christ (May 9). Two other national holidays were the Hindu holiday Nyepi (March 25) and the Buddhist holiday Waisak (May 29). The Chinese New Year (February 25), celebrated by Confucians, was decreed a permanent national holiday, beginning in 2003.

A number of government officials, and prominent religious and political leaders, were involved in, or supported, a number of interfaith groups, including the Society

for Interreligious Dialog (MADIA), the Indonesian Anti-Discrimination Movement (GANDI); the Indonesian Conference on Religion and Peace (ICRP); the Indonesian Committee on Religion and Peace (also ICRP); the Institute for Interfaith Dialog (Interfidei); and the Indonesian Forum for Peace (FID).

The Government has stated that improvements in religious freedom and interfaith dialog should be promoted. According to the Government's current 5-year Broad Outline of State Policy the central Government should: ensure all laws and regulations are in accordance with religious principles; increase religious harmony and interfaith dialog; encourage descriptive rather than dogmatic religious education; and increase the role and function of religious institutions to overcome the difficulties of social transition and to strengthen inter-religious and inter-ethnic harmony.

#### *Restrictions on Religious Freedom*

During the period covered by this report, certain policies, laws, and official actions restricted religious freedom, and the police and military occasionally tolerated discrimination against and abuse of religious groups by private actors.

Because the first tenet of the country's national doctrine, Pancasila, is the belief in one supreme God, atheism is prohibited; however, there were no reports of the repression of atheists.

On June 1, 2001, the Ministry of Justice revoked the decision by the Attorney General which put a ban on Jehovah's Witnesses practicing their faith. Jehovah's Witnesses believe that Trinitarian Christians instigated the government bans and that perhaps some mainstream Christian leaders influenced government bias against the group. Jehovah's Witnesses report that they continued to experience difficulty registering marriages, enrolling children in school, and in other civil matters in some but not all areas of the country. However, over the last few years, adherents have been able to obtain police permits to hold meetings in hotels and other public sites.

Certain messianic Islamic groups faced restrictions on their religious freedom during the period covered by this report. An official ban on the activities of the groups Jamaah Salamullah, Ahmadiyah, and Darul Arqam remained in effect, based on a 1994 "fatwa" edict, (a religious decree), by the National Ulemas Council (MUI). However, the Government still has not enforced the ban, enabling the groups to stay in operation through the formation of companies that distribute "halal" goods. There have been reports in the past that the authorities monitored Islamic groups considered to be deviating from orthodox tenets; in some cases closely. It is not known whether such monitoring occurred during the period covered by this report. In May 2001, a mob vandalized the Jamaah Salamulla retreat in West Java (see Section III). The local village head had issued orders for group followers to vacate the area because their beliefs were "deviant," and because they were disturbing the neighborhood.

The Government continued to restrict the construction and expansion of houses of worship, and maintained an ostensible ban on the use of private homes for worship unless the community approved and a regional office of the Ministry of Religious Affairs provided a license. Some Protestants complained that community approval was difficult to obtain and alleged that in some areas, Muslim authorities were systematically trying to shut them out. A government decree has been used to prohibit the construction and expansion of churches and to justify the closure of churches in predominantly Muslim areas. Although the regulations implemented under the decree apply to all recognized religions, minority groups—especially Protestant—claim that the law is enforced only on religious minorities, and that minority faiths have difficulty obtaining the proper licenses and permits to build houses of worship. Christians claim that the law is not enforced on Muslim communities, which they assert often do not apply for the permits before constructing a mosque.

Even when the proper permits are obtained, some Christian groups encounter difficulties in constructing or reconstructing churches. For example, in 2001 a Muslim mob attacked and destroyed a Pentecostal church that was under construction in North Jakarta, even though the church had all the required permits. The local authorities did nothing to redress the situation or resolve the problem, except to suggest that the church be relocated elsewhere. In November 2000, the director of the local government Social-Political Affairs (Kakansospol) Office on Lombok Island ordered the closure of eight churches in Mataram on the grounds that the churches had not obtained the proper permits, and the activities of the churches disturbed the peace in what were predominantly Muslim neighborhoods. During the period covered by the report a church in West Jakarta was closed and was ordered to move by the Governor, who stated that the presence of the church had disturbed Muslim

neighbors, and that a youth group from a nearby mosque opposed the idea of having the church so close to the mosque. In some cases, even when the building or expansion permits were obtained, Muslim mobs attacked the church grounds, forcing the Christian worshippers to close their building project. Meanwhile, some Muslims expressed concern about evangelization in traditionally Muslim areas and questioned the need for separate churches for different denominations.

The Ministry of Religion occasionally monitors the attendance of followers of minority faiths at their places of worship. In a few reported cases, Ministry officials asked the leaders of churches why their membership was low, suggesting that perhaps the church should close down if it had few members. However, many of the restrictions or bans on minority religions or on non-mainstream subsets of leading religions occurred at the provincial or district (Kabupaten) level. In some cases, local religious organizations issued the bans on minority religions or groups (see Section III); however, the Government did nothing to challenge these bans. Some religious minority leaders expressed concern that the onset of decentralization and enhanced regional autonomy in the country, which is to empower provincial and district governments, might result in issuance of regulations by local officials that could erode the right of minorities to practice their religions. For example, the Central Sulawesi branch of the MUI, a nongovernmental organization (NGO), issued an edict banning Hare Krishna in the province. The chief public prosecutor's office in Bali issued a ruling in January 2001 that the local ban on Hare Krishna would remain in place because Hare Krishna practices "disturbed the peaceful lifestyle of Balinese Hindus" (see Section III). Some mainstream Balinese Hindus had lobbied the local public prosecutor's office to reinforce the ban on Hare Krishna.

The Government prohibits proselytizing by recognized religions on the grounds that such activity, especially in areas heavily dominated by another recognized religion, potentially is disruptive. A joint decree issued by the Ministries of Religion and Home Affairs in 1979 remained in effect. It prohibits members of one religion from trying to convert members of other faiths, including through bribes, persuasion, or distribution of religious materials. Door-to-door proselytizing also remained prohibited. However, the country's laws allow for conversion between faiths, and such conversions do occur. Converts to religions other than Islam usually are silent about their change in faith, and there is no data on the numbers of conversions.

Foreign religious organizations must obtain permission from the Ministry of Religious Affairs to provide any type of assistance (in-kind, personnel, and financial) to religious groups in the country. Although this requirement is generally not enforced, some Christian groups state that it is applied more frequently to minority groups, including Christians, and that the requirement rarely is applied to mainstream Muslim groups.

Foreign missionaries are required to obtain work visas, which some described as difficult to obtain or extend. Foreign missionaries who obtained visas were able to work relatively unimpeded although there have been restrictions imposed in conflict areas. However, to obtain permission for a visa the Government requires applicants to submit: a letter from the applicant's sponsor; a letter from the Indonesian Embassy in the applicant's country allowing the applicant to obtain a temporary stay visa (VBS); a curriculum vitae; evidence demonstrating that the applicant has skill that a citizen cannot offer; a letter of approval from the Ministry's provincial director; a letter of support from the Director General of the Ministry of Religious Affairs who handles matters concerning the applicant's religion; a letter from the receiving religious institution, confirming that the applicant will work no more than 2 years in the country before he/she will be replaced by a local citizen who will obtain training in the same skill; statistical information on the number of followers of the religion in the community; permission from regional security authorities for those who wish to extend their Temporary Stay Permission Card; and written approval from a Provincial or District Ministry of Religion Office, after the office consults with local government authorities. However, many missionaries work without such visas.

There are no restrictions on the publication of religious materials and religious literature may be printed and religious symbols may be used. However, the Government bans the dissemination of these materials to persons of other faiths. In previous years, the Government banned some books because of their religious content; however, there were no such reports during the period covered by this report.

Citizens must indicate their religion on the national identification cards (KTPs). It is obligatory to list a religion to receive a KTP, and failure to list a religion can make it impossible to obtain the identity card that is required for employment. The Civil Registration Office routinely refused to give members of minority religions a KTP that showed their religion. Some Jews ended up listing Islam as their religion, and some Confucians resorted to identifying themselves as Buddhists. Some followers of minority religions were denied KTPs on the basis of their religion, and

subsequently encountered difficulty finding work. Others, including some of the Kepercayaan faith, were issued KTPs with only a dash in the space for religion. According to advocates this sometimes made the holders of such cards less attractive as job applicants, because employers would look upon their identification card with suspicion. Members of minority religions who, in conflict areas, are stopped at civilian "checkpoints" and are asked to produce identification, face some danger due to the religious notation on their identity cards. If a person's KTP shows that the bearer adheres to a faith that is out of favor with the local population, there is a risk of violence at such checkpoints.

Several groups urged the Government to omit the category of religion from KTPs, including the Buddhist group the KASI and the PMII, an Islamic student movement within the NU. However, little if any progress was made by these groups during the period covered by this report. Activists noted bureaucratic resistance to change, and stated that the Muslim majority saw no need to lift the requirement. The Minister of Religious Affairs was quoted as saying that listing a person's religion on national identity cards is necessary so that if a citizen dies and is not claimed by relatives, the authorities will be able to ensure appropriate treatment for the remains. A 3-day conference on civil registration was held in Jakarta in May 2002, sponsored by the GANDI, the UNICEF and other organizations.

Government employees must swear their allegiance to the nation and to the country's national ideology, Pancasila, the first tenet of which is the belief in one supreme God.

Within the armed forces, there were restrictions on religious freedom during the period covered by this report. Ethnoreligious representation in the general officer corps generally is proportional to the religious affiliation of the population at large; Javanese Muslims (the largest single ethnic group) dominate, but Christians are well represented in the general officer ranks (perhaps reflecting generally higher educational standards among the Christian communities). However, some allege that promotion to the most senior ranks for Christians and other minorities is limited by a "glass ceiling." Many Christian officers complain openly about this glass ceiling. However, there is little proof to support this as evidenced by the fact that there is a Christian who is currently serving as a Navy Commander, and a Christian has been overall Armed Forces Commander in the past. In addition there are Hindu generals in the Armed Forces.

Many members of minority religions stated that they were unable to register their marriages at the Civil Registration Office (Kantor Catatan Sipil) because they did not belong to one of the five officially recognized faiths. Such complaints were made by Animists, Jehovah's Witnesses, Confucians, and members of the Baha'i Faith, among others. Despite being among the officially recognized faiths, Hindus stated that they frequently had to travel long distances in order to have their marriages registered, because in many rural areas the local government could not or would not perform the registration. Men and women of different religions also had trouble marrying and officially registering their marriages. Independent observers note that it has become increasingly difficult to obtain official recognition for interfaith marriages between Muslims and non-Muslims. Religiously mixed couples first must find a religious official willing to perform a marriage ceremony (which is not an easy task, according to interfaith groups), then try to register the union with the Government. The difficulties faced by members of unrecognized religions and religiously mixed couples in registering their marriages resulted in some persons converting, sometimes superficially, in order to get married. Others who could afford to, traveled to Singapore or Hong Kong, where they wed and then registered the marriage at an Indonesian Embassy. Many of the religious communities that suffered discrimination in marriage registration also encountered difficulties in registering their children's births. Confucians had special difficulty in registering births. According to the MATAKIN, a Confucian advocacy group, births to Confucian women are recorded at the Civil Registration Office as being out of wedlock. Only the mother's name is recorded, not the father's, causing shame or embarrassment.

The law does not discriminate against any religious group in employment, education, housing, and health; however, some religious minority groups allege that there is de facto discrimination that limits their access to top government jobs and slots at public universities. Some religious minority groups also contend that promotion opportunities for non-Muslims in the military and the police decreased. Muslim groups continue to press the Government to grant employment preferences to Muslims, the majority group. Vocal segments of the Muslim community called for a form of affirmative action for "Islamic" civil servants and businessmen, which is intended to rectify the Suharto regime's preferential economic treatment of a very small minority of ethnic Chinese citizens.

In Aceh many religious leaders insisted that there were no plans to institute stricter aspects of Shari'a than are found in the hudud (strict traditional punishments for criminal or social offenses, such as the amputation of limbs or stoning). However, some Muslim scholars argue that there is nothing in the draft legislation that would forbid the application of Shari'a punishments (hudud) to any crimes. Shari'a requires Muslim men and women to abide by Muslim dress codes, which include requiring women to cover their head, legs, and arms in public. However, there was no evidence that any Muslims—or non-Muslims—had been punished for dress-code violations during the period covered by this report. Shortly after the authority to implement Shari'a was announced for Aceh, police in the capital, Banda Aceh, stopped a number of women who were riding on motorbikes and not wearing head scarves. The Muslim women were given headscarves, but they were not forced to wear them. This practice did not last long. Some residents claimed that this incident was intended to attract publicity. In another incident, women's rights activists reportedly succeeded in halting a plan to create a scarf-compulsory zone for women in Banda Aceh. The original decision, announced through the media, allegedly was made by the security forces.

In other fundamentalist Islamic strongholds, attempts by local legislators and religious leaders to follow Aceh's lead so far have had little result, in part because other provinces and municipalities did not share Aceh's legislative prerogatives, and because there was organized political opposition. For example, a coalition of secular parties and women's groups prompted the provincial legislature of West Sumatra to reject a bill that would have incorporated elements of Islamic law into the civil code. Stricter Islamic legal practices were introduced informally in Cianjur and Garut, West Java, in Makassar in South Sulawesi, and in Gorontalo (formerly part of North Sulawesi). In some cases, local officials encouraged these developments; in others, they remained neutral or tacitly against it. In some other Muslim majority areas, Islamic norms were adopted. In north Maluku, for example, some towns virtually were closed for Friday prayers, and Christian legislators were afraid to visit.

Assurances by Muslim and local government leaders that non-Muslims had nothing to fear from Shari'a, as it would not be applied to them, largely were rejected by non-Muslims. There was deep-seated concern among mainstream Muslims, Christians, Buddhists, Hindus and others, that the implementation of Shari'a would undermine the country's tradition of religious tolerance and plurality. Some worried that women's rights would be endangered. Others complained that Shari'a was being used for political ends (in the case of Aceh, to erode support for the Free Aceh Movement (GAM) of Muslim separatists). A number of Christians and Muslim moderates have expressed serious concern that these efforts to implement Shari'a foreshadow a growing influence of fundamentalist Islamic ideas.

Several small fundamentalist Islamic groups called for the national adoption of Shari'a by adding a sentence to the Constitution stating that there is an "obligation for Muslims to adhere to the Islamic faith"—the so-called Jakarta Charter. This was the latest in a long string of attempts by some fundamentalist Muslims to have a Shari'a requirement added into the Constitution. Among those opposing changes to the Constitution were the two largest Muslim organizations, the NU and the Muhammadiyah, as well as Christian, Buddhist, Confucian and Hindu organizations.

In May 2002, the mayor of West Jakarta was embroiled in controversy after issuing a municipal decree requiring Muslim students at public and private elementary schools, and junior and senior high schools to wear Muslim attire on Fridays. Non-Muslim students were required to wear a tie with their usual uniform. The ensuing uproar resulted in the lifting of the requirement. A spokesman for the mayor said the regulation was intended to make students, especially female students, wear "polite clothes" instead of the miniskirts that currently were in vogue. The plan also allegedly was intended to reduce the high number of student brawls in the area, because it was thought that it would be embarrassing for students to fight while wearing Islamic garb.

Marriage law for Muslims is based on Shari'a (Islamic law) and allows men to have up to four wives if the husband is able to provide equally for each of them. Court permission and the consent of the first wife is required; however, reportedly most women cannot refuse subsequent marriages. Cabinet officials and military personnel customarily have been forbidden from taking second wives, although reportedly a few ministers in former President Wahid's cabinet had second wives. During 2000 Government Regulation 10/1983, which stipulates that a male civil servant must receive the permission of his superior to take a second wife, came under considerable attack and renewed scrutiny. The Minister of State for Women's Empowerment, Khofifah Indar Parawansa, proposed that the regulation be revoked or modified, arguing that supervisors often use the regulation as leverage over subordi-

nates, and that the regulation is an embarrassment to women. She also asserted that many men avoid the regulation by establishing illicit relationships. Other women, including former First Lady Sinta Nuriyah Abdurrahman Wahid, opposed revoking the regulation, arguing that it protects women. Some women's groups urged the Government to ban polygyny altogether.

In divorce cases, women often bear a heavier evidentiary burden than men in obtaining a divorce, especially in the Islamic-based family court system. Divorced women rarely receive alimony, and there is no enforcement of alimony payment. According to Shari'a, as interpreted in the country, a divorced wife is entitled to only 3 months of alimony, and even alimony for this brief period is not always granted.

#### *Abuses of Religious Freedom*

Religious violence and the lack of an effective government response to punish perpetrators and prevent further attacks continued to lead to allegations that officials were complicit in some of the violence or, at a minimum, allowed it to occur with impunity. Although the President and other officials repeatedly have criticized instances of inter-religious violence, the government's efforts to end or reduce such violence generally continued to be ineffective. The Government at times has tolerated the abuse of freedom of religion, claiming that it does not have the capacity or authority to deal with the "emotions" of private individuals or groups who target others because of their beliefs. According to credible reports, during 2000 and 2001, individual members of the security forces in the Moluccas, especially on the centrally located island of Ambon, were responsible for some of the shooting deaths that occurred during widespread riots and communal clashes.

During the period covered by this report, inter-religious and inter-ethnic violence in the Moluccas and Sulawesi continued, although at a lower level than in 2000 and early 2001. In the Moluccas, Central Sulawesi, Papua, and Kalimantan, economic tensions between local or native persons (predominantly non-Muslim) and more recently arrived migrants (predominantly Muslim), who were seen by indigenous communities as economically advantaged, were a significant factor in incidents of inter-religious and inter-ethnic violence.

In the Moluccas, where the population is roughly equally divided between Muslims and Christians, at least 100 persons were killed and over 300,000 persons were displaced due to violence between Muslims and Christians during the period covered by this report. According to some estimates, the number of those displaced could be as high as 425,000 or even higher. The violence was exacerbated by outside groups, most notably the Java-based Muslim group Laskar Jihad, (or "holy war troops"), which sent thousands of fighters to the Moluccas in 2000 to fight alongside local Muslims who were fighting local Christians. The Laskar Jihad's intervention gave the Muslims the upper hand in many areas where Christians had been equal to or stronger than their Muslim neighbors. The partiality of some members of the armed forces and police, who at times supported either Muslim or Christian groups depending upon their own religious loyalties or provincial origins, also contributed to the violence. Nonetheless, the overall level of violence in the Moluccas declined during the period covered by this report, with fewer wide-scale attacks but more bombings and targeted strikes.

The Laskar Jihad, which formed in 2000 and underwent paramilitary training, continued its crusade against the Moluccan Christian populations, allegedly in reaction to a Christian conspiracy to turn Maluku province into an independent Christian nation. Many of its recruits, some of whom were children, were deployed to Maluku and North Maluku provinces beginning in late April 2000, where they reportedly joined in fighting against Christians. The Government generally failed to prevent their activities.

In July 2000, the acting governor of North Maluku started expelling militant Laskar Jihad troops from the province. However, the governor of Maluku took no similar action, claiming that it was the responsibility of Jakarta to order the expulsion of the militants. A major factor contributing to the continuation of violence in these two provinces was the failure of the Government and security forces to bring the perpetrators to justice or to prevent (and then deport) several thousand armed Laskar Jihad militants from Java who had joined forces with Muslims in various parts of the two provinces (see Section III).

From July to November 2000, the Government largely was ineffective in deterring inter-religious violence that led to over 1,000 deaths, thousands of injuries, and tens of thousands of displaced persons in the Moluccas. Enforcement of the law against criminal violence deteriorated, encouraging religious groups purporting to uphold public morality to act with growing impunity. In some incidents security forces took sides in the conflict and participated in the violence; in others the forces stood by while Christian and Muslim civilians battled one another. According to many Chris-

tian leaders, the anti-Christian sentiment behind the violence in the Moluccas and elsewhere is not new, but the failure of the Government to punish the perpetrators associated with such acts is new. They claim that such impunity contributed significantly to the continuation and spread of the violence. However, perpetrators—Laskar Jihad members in particular—rarely were detained and when they were, they typically were released after supporters rallied in demand of their release and threatened police. In addition the Government failed to suppress or respond to most cases of violence and did not resolve fully the many cases of attacks on religious facilities that occurred during riots. In many cases, the Government did not investigate such incidents at all.

On Christmas Eve 2000, unknown terrorists bombed or attempted to bomb 34 Christian churches in 10 cities in 8 provinces and special districts. Nineteen citizens died from the blasts, including Muslims guarding the churches, and 84 persons were injured. The Government formed a special interagency team to investigate the bombings, and the NGO Indonesian Forum for Peace (FID) formed a joint fact-finding team with the Government to investigate the Christmas Eve church bombings. On June 28, 2001, the Bandung District Court sentenced Agus Kurniawan to 9 years in prison for his role in the bombings. Another suspect also was on trial for involvement in the bombings at the end of the period covered by this report. Former President Wahid and various religious leaders publicly stated their belief that the coordinated bombings were politically, not religiously, motivated to destabilize the country and undermine Wahid's government and reform efforts.

In April 2001, local courts sentenced to death three Christian prisoners who were found guilty of killing hundreds of Muslims and inciting religious hatred in Poso, Central Sulawesi between May and June 2000. Confessions and evidence supported the prosecution's case that the three prisoners, who were Christian militia leaders, were guilty; however, the prisoners and some of their supporters alleged that the trials were religiously motivated because while they were sentenced to death, Muslim militia who had killed Christians and been arrested were released from detention under pressure from Muslim groups. In May 2001, a man was arrested in Luwu, Central Sulawesi for attempting to bomb three Christian churches.

During the second half of 2001, in Sulawesi, an estimated 25 persons were killed and 58,030 others were displaced. Between June and December 2001, Laskar Jihad members threw three bombs into 12 different Christian villages, causing the villagers to flee. After the villagers fled, members of Laskar Jihad ransacked the villages and razed them.

In December 2001, the Government deployed 4,000 elite soldiers and police officers to Sulawesi. That same month, the Government brought the Muslim and Christian communities together to negotiate. Their discussions, at Malino, produced the Malino Declaration (Malino I), which was signed on December 20, 2001. The arrival of the security forces and the implementation of Malino I greatly reduced the violence in Sulawesi, which began in late 1998.

However, on January 1, 2002 bombs exploded outside of three churches in the Central Sulawesi capital of Palu. On June 5, 2002, a passenger bus packed with commuters in Central Sulawesi was bombed, killing five persons, including a Protestant minister. Although many suspected the Laskar Jihad might have been involved in the bus bombing, the Muslim militia group denied responsibility. Many persons had warned that Muslim militants would renew their attacks if the Government reduced the number of security forces in Central Sulawesi.

In February 2002, the Government hosted another round of talks in Malino that produced another agreement (Malino II) between Muslims and Christians to work for peace. The Coordinating Minister for People's Welfare, Jusuf Kalla, outlined the Malino II Peace Plan, which involved the disarming of local combatants; the rehabilitation and reconstruction of destroyed homes, schools and places of worship; and the removal of outsiders who had entered the area during the conflict. The Government has appointed a special commission to investigate the violence, unify reinforced police and military units under a single commander, and increase efforts to disarm the populace.

In early April 2002, the newly signed peace agreement suffered a setback after a bombing killed 4 persons and injured 50 others in the Moluccas. Christian mobs angered by the seemingly one-sided policies of the authorities, which appeared to favor Muslims, burned down the Governor's office complex. These mobs also destroyed the main meeting place between Christians and Muslims in the partitioned city of Ambon. The offices of a number of international organizations and NGOs, including the UN headquarters, also were destroyed. Coordinating Minister of Political and Security Affairs Yudhoyono instructed the authorities in Ambon to restore order and bring those responsible to trial. After order was restored, local Christian and Muslim leaders pledged to revive reconciliation talks and to take measures.

However, on April 25, 2002, a well organized and peaceful demonstration by separatists set off another round of violence in Ambon. In response Muslim mobs opposed to the secessionists crossed into the Christian sector of the city and firebombed a church. Soon afterwards, Muslims were involved in a shootout with the police that left 2 Muslim protesters dead. Other explosions and shootings were heard throughout the city. Soon after these incidents, the leader of Laskar Jihad visited Ambon.

On April 28, 2002, dozens of hooded militiamen razed the Christian village of Soya, in Ambon, burned its church, and killed 12 persons. The Soya attack came hours after the Laskar Jihad commander, Ja'far Umar Thalib, delivered an inflammatory speech in which he stated that there would be no reconciliation with Christians and that Muslims had to prepare for armed combat. The Government, which had drawn criticism for failing to bring to justice perpetrators of the violence, and for failing to prevent the influx of thousands of Laskar Jihad fighters to the area, responded by arresting Thalib on May 4, 2002. Thalib's detention sparked violent confrontations in Maluku that left 2 persons dead.

In mid-May 2002, the commander of the elite Army Strategic Reserves (KOSTRAD), Ryamizard Ryacudu, who was overseeing the deployment of 3000 rapid reaction forces to Ambon, exhorted his troops to remain neutral. However, the following day, he ordered his troops to destroy the Republic of South Maluku (RMS) Christian separatist movement, urging his men not to be afraid to "kill them all" if necessary. At the same time, the Government has taken no action to force Laskar Jihad troops out of the region. On May 25, 2002, 5 Christians were killed and at least 9 others were wounded when unidentified attackers in two speedboats opened fire on a passenger ferry off of Haruku island.

In Sulawesi the violence was not restricted to Christians and Muslims during the period covered by this report. The central part of the island is home to many ethnic Balinese Hindus who were attacked by Muslims who accused them of helping Christians. The Hindus had, for example, refused Laskar Jihad the right to pass through their village. Other conflicts involving members of different religions occurred in various parts of the country during the period covered by this report, including disputes in Kalimantan between ethnic Madurese, who are predominantly Muslim, and indigenous Dayaks, who are predominantly Christian. The nature of these disputes primarily is ethnic, not religious, with economic and political overtones.

Although the conflict in Aceh is cast in religious overtones, the fighting is in fact due more to economic and ethnic tensions than religious intolerance. Despite Government claims that violence in Aceh virtually has ended, the GAM forces still operate widely in East and North Aceh. Regular military troops in the field are more disciplined than they were during 2000 and 2001. However, special plainclothes military units regularly kidnap, torture, and kill civilians and guerillas alike. Paramilitary "Brimob" police commit similar offenses. Recent negotiations between the GAM and the Government held in Geneva in May 2002 resulted in agreements to discuss a ceasefire and to conduct an "all-inclusive dialog" on the basis of Jakarta's Special Autonomy scheme. However, the GAM and Government representatives in Banda Aceh gave widely differing interpretations of the agreements. As of June 2002, violence continued, while progress towards a peaceful solution moved slowly. Nonetheless, negotiations have made modest progress.

Witnesses testified to human rights groups of incidents when active duty and retired military personnel participated in or stood by during the torture or executions of Christians who refused to convert to Islam in the Moluccas. Witnesses and victims also testified to human rights organizations that active duty military and police officials stood by while members of one religious group raped or mutilated members of another faith. There have been unconfirmed reports of mass forced conversions of Christians; however, these allegations diminished during the period covered by this report.

There were no religious prisoners or detainees.

#### *Forced Religious Conversion*

Unlike during the previous reporting period, there were no confirmed reports of forced religious conversions during the period covered by this report. This change coincided with a general deescalation of violence in the country's main areas of inter-religious conflict (the Moluccas and Sulawesi). Laskar Jihad militants have forced Christians in some areas of the Moluccas either to convert to Islam, leave the area, or to face death. It is unknown how many Christians, if any, were actually executed by Laskar Jihad. Of the thousands of Christians and hundreds of Muslims who underwent forced conversions between July 1, 2000 and June 30, 2001 (many of whom had been threatened with death if they did not convert), most subsequently reverted to their former faith after government security forces established a pres-

ence in their communities. However, some locations, including the Christian majority community of Bula, on the Moluccan island of Seram, were deemed too remote for a security force presence to be established. During the period covered by this report, the religious status of Bula's 200 former Protestants was unclear. There were unconfirmed reports that local government officials, largely village heads, were complicit in some of the mass conversions in 2000 and 2001.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### Improvements in Respect for Religious Freedom

The inter-religious violence that began in the eastern part of the country in late 1998 and early 1999 resulted in thousands of deaths before easing in late 2001. In late 2001, the Government finally took action by brokering peace accords, effectively deploying troops, and cracking down on extremists. However, the Government was criticized for not acting sooner to halt the violence. Sulawesi and the Moluccas both began to experience periods of stability and relative peace. However, the calm owes little to the Malino II peace process and more to the massive deployment of forces that accompanied it, including the special police units that curtailed Laskar Jihad activities.

In June 2002, the Government established an independent team of investigators to probe the conflict in the Moluccas. The 14 member team consisted mainly of civil servants and was tasked to investigate several key incidents, including the clash between a resident and a driver on January 19, 1999, which initiated the conflict between Muslims and Christians.

To promote religious pluralism, President Megawati inaugurated an interfaith dialog in Yogyakarta on June 24, 2002. Among the participants were 120 religious leaders from different faiths.

### SECTION III. SOCIETAL ATTITUDES

Religious intolerance increasingly was evident during the period covered by this report, and became a matter of growing concern to many Indonesians. Apart from the violence in the Moluccas and Central Sulawesi, religious intolerance occasionally manifested itself elsewhere in the country in the form of attacks on churches. During the second half of 2001, at least 30 churches were either forcibly closed or destroyed in Sulawesi, West Java, Jakarta, Yogyakarta, Semarang, Aceh and Buru Island. There were no reports of any mosques being destroyed during the period covered by this report.

Religious intolerance, especially on the part of Muslim extremists towards religious minorities, including Christians, increasingly was evident and became a matter of growing concern to many religious minority members and Muslim moderates. There was continued inter-religious violence in the Moluccas, although at a lower level than in 2000 and 2001. Religious intolerance also manifested itself in numerous attacks on churches in various locations throughout the country.

Citizens generally tend to identify themselves and to interact with others on the basis of ethnicity, religion, race, or social class, and civil society is in a very nascent stage. The country is a multiethnic, multi-religious society that, historically, has experienced outbursts of religious intolerance and violence.

There were numerous attacks on churches and some attacks on mosques in various locations throughout the country during 2000 and 2001, ranging from minor damage to total destruction; only a few cases, if any, were investigated thoroughly, and there were no reports of perpetrators being punished. In the second half of 2001, 29 churches were either forcibly closed or destroyed in Sulawesi, West Java, Jakarta, Yogyakarta, Semarang, and Buru Island. There also were unconfirmed reports of Christian church closures in the Acehese district of Singkil. This represented a sharp decline from the 108 church closures and destructions reported in the previous 6 month period. Few if any of the latest attacks were investigated thoroughly by the authorities, and there were no reports of perpetrators being punished. According to the Indonesian Christian Communication Forum, from January 1999 to April 2001, 327 churches were closed or destroyed, while the Ministry of Religion reported that 254 mosques were attacked or destroyed during the same period. Most of the attacks and destruction occurred in the Moluccas. From July 1, 2000 to May 31, 2001, there were 108 reported incidents of destruction of churches (compared to 163 incidents reported in the previous period) including 21 attacks on churches in Java; 20 in Sumatra, 10 in Lombok; 9 in South, Central, and Southeast Sulawesi; and 5 in North Sumatra (Medan).

Attacks on mosques in the conflict-torn Moluccas continued during 2000 and 2001. However, there were no attacks on mosques reported during the period covered by

this report. The Maluku provincial government reported that four mosques were attacked or destroyed in 2000 and 2001, while the North Maluku provincial government reported no attacks on mosques during the same time period. In late May 2001, a mob of allegedly pro-President Wahid supporters associated with the NU burned a mosque associated with rival Muhammadiyah followers in Pasuruan, East Java. Also in late May 2001, a mob of 400 persons vandalized the retreat of Jamaah Salamulla (an Islamic group) in Bogor, West Java.

In the easternmost province of Papua, Muslims constitute a religious minority (although in the districts of Sorong and Fakfak, Muslims account for roughly half of the population). The arrival of Muslim migrants from other parts of the country in the past has precipitated attacks on mosques. However, no mosque attacks in Papua were reported during the period covered by this report, although one mosque was shut down temporarily by the authorities until a tax matter was resolved. In Papua there are reports that the Muslim group Laskar Jihad is working with nationalist militias supported by members of the military and the police. These groups oppose Papuan separatism, which is a secular movement. The presence of Laskar Jihad, accompanied by some militant foreign Muslims, raised fears that the group would add to existing tensions by inciting religious conflict in the province.

Among factors contributing to religious intolerance, are underlying socioeconomic and political competition and tensions. In the Moluccas, Central Sulawesi, Papua and Kalimantan, economic tensions between local or native peoples (predominantly non-Muslim) and more recently arrived migrants (predominantly Muslim) were a significant factor in incidents of inter-religious and inter-ethnic violence.

Public expressions of Islam began to grow significantly in the early 1990s and increased after the fall of the Suharto government in 1998. The number of religious schools (pesantrens and madrasahs), mosques, Shari'a banks, and other businesses, civic groups, media outlets, and political parties associated with Islam (see Section II) all grew. Muslims continued to seek greater political empowerment through the country's Islamic political parties (the current number of Islamic parties, as opposed to the 13 that stood for election in 1999, is unknown), as well as through religious organizations. The number of stores selling Islamic attire and religious objects also continued to increase during the period covered by this report, and more women donned head scarves or "jilbab." In 2001 an estimated 193,000 citizens made the Hajj (Muslim pilgrimage)—up 19,000 from the previous year. In 2002 the number rose to an estimated 197,000, but this was below the expectations of the Ministry of Religious Affairs, which predicted that the country would exceed its pilgrimage quota of 213,000 persons for the year. The Islamic publication, Sabili, which advocates obligatory adherence of Muslims to Shari'a law, was one of the country's top five magazines in circulation during the period covered by this report.

In general Islam in the country remained overwhelmingly moderate. However, with the removal of Suharto-era restrictions on religious organizations and expression, there have been some public calls by a minority of Muslims for the creation of an Islamic state. Only 7 to 10 percent of the country's Muslims advocate the creation of an Islamic state which would make it obligatory for Muslims to follow Shari'a law. The majority of these Muslims pursue their goal through peaceful means, but a small, vocal minority condones coercive measures and has resorted to violence. Extremist groups advocating coercion and resorting to violence include: Laskar Jihad, the Islamic Defenders Front (FPI), the Hizbullah Front, the Laskar Mujahidin, the Campus Association of Muslim Students (HAMMAS), the Jundullah Troops (Laskar Jundullah), the Islamic Youth Movement (GPI), and the Surakarta Islamic Youth Forum (FPIIS). Many of the country's religious minorities expressed growing concern over what they perceived to be increasing demands by certain Muslim groups to impose Shari'a law in the country.

Since the fall of the Suharto regime in 1998, there has been greater freedom of expression, and lewd material has become more widely available. Against this backdrop, some extremist groups have acted publicly to root out vice. The country's official Islamic authority, the MUI, conducted a campaign against domestic broadcasters and print media outlets, accusing them of increasingly disseminating lewd and pornographic materials. On March 7, 2002, hundreds of FPI members attacked a pool hall in the Casablanca area of south Jakarta. The attack came during the Muslim New Year, and the attackers accused the establishment of failing to respect the holiday. Hours earlier FPI members had approached bars and discos in central Jakarta and demanded that they close for the night. On June 26, 2002, approximately 200 FPI members smashed beer bottles, signs and windows in the popular Jaksa street area of Jakarta, in full view of the police, who merely stood by and did nothing in response. In December 2001, during the Muslim fasting month of Ramadan, the group raided pubs and cafes in Tebet, south Jakarta. Police criticized the attacks, but no FPI member was ever arrested. It is believed widely by the pub-

lic that Jakarta police used FPI to enforce its protection rackets and as a result the police condoned or even directed its attacks. Before that night, during FPI “vice raids,” the groups bypassed some bars and pool halls on the same street while obviously targeting others.

Political tensions among Muslim groups became more intense during 2000 and 2001, in particular between the 2 largest Muslim social organizations, the NU, which is associated politically with former President Wahid, and the Muhammadiyah, which is associated politically with Amien Rais Chairman of the National Mandate Party (PAN) and Speaker of the People’s Consultative Assembly (MPR). Muslim student groups also are divided along political lines. The Muslim Students’ Action Front (KAMMI), the Association of Islamic Students (HMI), and the Intercampus Muslim Student Association (HAMMAS) opposed former President Wahid while the PMII, which is associated with the NU, supported Wahid. Some prominent Muslim interfaith organizations also were in part divided along political affiliations. Many of the Muslim members of the Indonesian Committee on Religion and Peace (ICRP) were affiliated with the Muhammadiyah, while many of the Muslim members of the Indonesian Conference on Religion and Peace (also ICRP) were NU supporters.

Christians in various parts of the archipelago expressed fear over perceived attempts to “Islamize” the country, but there also was concern, mainly among Muslims, that Christians were trying to “Christianize” the country. Some complained that the number and activities of Christian fundamentalist groups were increasing, and that such groups were influenced and funded by foreign groups. Others argued that leaders of these “charismatic” Christian groups were aggressive proselytizers who did not respect the sensitivities of the country’s Muslim majority. When radical Muslim groups alleged that there was a foreign Christian conspiracy to destabilize the country by attacking Muslims, moderate Muslim and Christian religious leaders and intellectuals stated that they were referring to these charismatic Christian groups.

Some extremist religious leaders—both Muslim and Christian—preached hatred against other religious groups and encouraged their followers to engage in violence against persons of other faiths. Following the May 2002 arrest of Laskar Jihad commander Thalib, several Islamic groups demanded that the Government reinvestigate the case of Theo Sya’fei, a Christian and a high-ranking official in the PDI party. In November 1998 he had, like Thalib, made a provocative speech, which was recorded and distributed within the Christian community. Muslims claimed that Sya’fei’s speech sparked a rampage in the city of Kupang, West Timor, which resulted in the destruction of 23 mosques, 7 schools, and 4 office buildings, and caused 4,000 Muslims to flee the area. During the period covered by this report, police were in the process of reopening the case against Sya’fei, although he had not been charged. Religious enmity also surfaced in the city of Makassar, in South Sulawesi. In October 2001, 6 non-Muslims were assaulted and severely beaten by dozens of students in front of the Indonesian Muslim University. The students had been angered by the burning of an effigy of Osama bin Laden days earlier in the town of Tondano, in North Sulawesi. The assault was stopped only after the university’s rector personally dispersed the students. Police promised to take action against the assailants. There was no update on whether the assailants were punished by the end of the period covered by this report.

Members of the mainstream Hindu community, represented by the PHDI, reported no incidents in which followers were discriminated against or harassed. However, some Hindus in Bali expressed discomfort over the screening of a television program called “Angling Dharma,” which they found insulting and patronizing. In January 2002, the PHDI petitioned the network involved to stop broadcasting the show.

Members of the Baha’i Faith did not report major problems since the lifting of the ban on their religious practice (see Section II); however, in early May 2001, a crowd of Muslims reportedly ousted two Baha’i families living in a predominantly Muslim village in the Donggala District of Central Sulawesi. The local branch of the MUI issued a fatwa banning the spread of the Baha’i Faith in the district. Once the MUI issues a fatwa, it is never withdrawn, but since it is an unofficial ban and not a government ban, it carries little weight.

Societal attitudes of some persons, particularly those in rural areas, have been shaped by beliefs in traditional magic, especially what is considered its darker form and is practiced by shamans called “dukun santet.” Dukun santet is based in part on the pre-Islamic belief of systems of Aliran Kepercayaan and Kebatinan. Occasionally some dukun santet have been targeted for vigilante justice by those who blame them for random calamities. In May 2002, a dukun santet was killed in the district of Banyumas, Central Java. During the period covered by this report, in Kalimantan

and Java a number of dukun santet were tortured and killed in separate incidents. During the period covered by this report, 94 persons were sentenced to prison for up to 4 years in connection with those crimes. It was unclear what progress, if any, the Government made in the case of 20 persons arrested in Cianjur, West Java, in connection with the killing of a santet in November 2000.

During the period covered by this report, interfaith organizations grew, and their activities enjoyed some media coverage. Among them were the Society for Interreligious Dialog (MADIA), the Indonesia Anti-Discrimination Movement (GANDI), the Interfidei, the Indonesian Conference on Religion and Peace (ICRP), and the Indonesian Committee on Religion and Peace (also called ICRP), the Indonesian Peace Forum (FID), and the Institute of Gender and Religious Studies. The GANDI worked to repeal regulations it considered discriminatory, particularly toward ethnic Chinese citizens, and particularly targeted Law U.U. No. 1 (1974), which effectively prohibits the marriage of persons from different religions. The MADIA held seminars, discussions, and a cyberforum, frequently focusing on problems related to respect for basic human rights. The group also worked to bring attention to challenges that Sikhs in Medan confront in trying to get their marriages registered.

#### SECTION IV: U.S. GOVERNMENT POLICY

The U.S. Embassy in Jakarta, the Consulate General in Surabaya, and visiting State Department officials regularly engaged government officials (particularly in the Ministry of Religious Affairs and the State Secretariat) on religious freedom issues and also encouraged officials from other embassies to discuss the subject with the Government. U.S. Embassy in Jakarta and the Consulate General officials focused many of these discussions on religious freedom in the Moluccas and Sulawesi.

The U.S. Government also provided funding to the Indonesian Conference on Religion and Peace, which held a series of seminars on conflict resolution in cities around the country with high potential for conflict. The seminars were designed to initiate free discussion on conflict resolution so that the public could obtain balanced information on issues of inter-group relations. The discussions, held in October and November 2001, included prominent figures from the country's different religious communities. The Embassy also arranged digital video conferences on "Religious Freedom and Tolerance in a Democracy" and "Women and Islam," bringing together several hundred representatives of the various religious communities for discussion of these issues.

U.S. Embassy and Consulate officials regularly met with religious leaders to discuss the importance of religious freedom and tolerance and to encourage inter-religious efforts to mitigate the sectarian conflict in the Moluccas and to combat religious intolerance.

U.S. Embassy and USAID officials worked with domestic and international NGO's to develop methods to mitigate religious conflict and to combat religious intolerance. The U.S. Embassy and the USAID worked with interfaith NGOs, such as the MADIA, both ICRPs and the Interfidei. They also met with international human rights groups and with the National Human Rights Commission (KOMNASHAM) and its branch in Ambon in Maluku Province. The U.S. Embassy promoted religious tolerance through public affairs, exchanges, training programs and engagement with government officials and religious and NGO leaders. The U.S. State Department and USAID funding was used to promote religious freedom, tolerance, and conflict resolution. The U.S. Embassy served as a liaison between the U.S. Government, Congress and Government officials on religious freedom issues and advocated U.S. government positions on areas of concern.

The U.S. Embassy and the U.S.-Indonesian Fulbright Foundation (AMINEF) provided expertise and equipment (including a virtual library on comparative religion) to help establish the country's first graduate-level program on comparative religion at Gadjadara University in Yogyakarta. The first of its kind in the country, this program is intended to foster competence in religious studies among educators. The long-term objective is to increase inter-religious understanding on college and university campuses. The Embassy renewed a program to send scholars from Islamic institutions to the U.S. for advanced degrees or research. The Embassy has also sent several religious leaders to the U.S. on International Visitor programs.

The USAID also continued its 3-year program aimed at strengthening civil society. Support was extended by the USAID to dozens of religiously affiliated NGOs in an effort to assist the democracy movement within the Muslim community. The USAID funded a conference that brought together leading Muslim intellectuals, who

represent groups working to promote the understanding of secular democracy and its compatibility with Islam.

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## JAPAN

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some restrictions. The Aum Shinrikyo group, which lost its religious status following its 1995 sarin gas attack on the Tokyo subway system and was renamed Aleph, remained under government surveillance.

There was no change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom; however, there was some societal discrimination against followers of Aum Shinrikyo/Aleph.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 145,902 square miles, and its population is an estimated 127 million. Regular participation in formal religious activities by the public is low, and an accurate determination of the proportions of adherents to specific religions is difficult. According to the latest statistics published by the Agency for Cultural Affairs in December 2000, approximately 50.1 percent of citizens adhered to Shintoism, 44.3 percent to Buddhism, 4.7 percent to so-called “new” religions, and 0.8 percent to Christianity. However, Shintoism and Buddhism are not mutually exclusive religions, and the figures do not represent the ratio of actual practitioners; most members claim to observe both. All other faiths are classified as “new religions” and include both local chapters of international religions such as the Unification Church of Japan and the Church of Scientology, as well as faiths founded in the country, such as Tenrikyo, Seichounoie, Sekai Kyusei Kyo, Perfect Liberty, and Risho Koseikai. A small segment of the population, predominantly foreign-born residents, attend Orthodox, Jewish, and Islamic services.

There are 28 Buddhist schools recognized by the Government under the 1951 Religious Corporation Law. The major Buddhist schools are Tendai, Shingon, Joudo, Zen, Nichiren, and Nara. In addition to traditional Buddhist orders, there are a number of Buddhist lay organizations, including the Soka Gakkai, which has more than 8 million members. The three main schools of Shintoism are Jinja, Kyoha, and Shinkyoha. Among Christians both Catholic and Protestant denominations enjoy modest followings.

According to an April 2001 Justice Ministry report, Aum Shinrikyo/Aleph has an estimated 1,650 followers, a decrease from 10,000 in 1995. However, in May 2002, Aum Shinrikyo/Aleph claimed to have only 1,187 members.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some restrictions.

In response to Aum Shinrikyo terrorist attacks in 1995, a 1996 amendment to the Religious Corporation Law gives the authorities increased oversight of religious groups and requires greater disclosure of financial assets by religious corporations. The Diet enacted two additional laws in 1999 aimed at regulating the activities of Aum Shinrikyo/Aleph.

Some Buddhist and Shinto temples and shrines receive public support as national historic or cultural sites. In 1997 the Supreme Court ruled that a prefectural government may not contribute public funds to only one religious organization if the donations will support, encourage, and promote a specific religious group; however, no cases questioning the use of public funds in connection with a religious organization have been brought since 1998.

The Government does not require that religious groups be registered or licensed; however, in order to receive official recognition as a religious organization, which brings tax benefits and other advantages, a group must register with local or national authorities as a “religious corporation.” In practice almost all religious groups register. The Cultural Affairs Agency listed 182,659 registered religious groups as

of December 2000. However, in recent years, the Cultural Affairs Agency has estimated that as many as 5,000 of these groups are dormant, and the agency has taken legal action in an attempt to remove dormant groups from its registry. Since 1998 courts have accepted requests by the Cultural Affairs Agency to dissolve at least four dormant religious bodies that were registered under the Religious Corporation Law.

There are no known restrictions on proselytizing.

#### *Restrictions on Religious Freedom*

The Aum Shinrikyo organization, which officially was renamed Aleph by its leadership in February 2000, is under active government surveillance. Aum Shinrikyo lost its legal status as a religious organization in 1996 following the indictment of several hundred members for the group's 1995 sarin gas attack on the Tokyo subway system and other crimes. The Tokyo District and High Courts sentenced eight senior members to death and six others to life imprisonment in connection with the 1995 sarin gas attack, as well as the killings of Aum Shinrikyo members who attempted to leave the organization. Another 180 members were sentenced up to 10 years' imprisonment. In August 2001, the Tokyo High Court upheld a lower court ruling that sentenced a member to 17 years imprisonment for his role in a 1994 sarin gas attack in Matsumoto that killed 7 persons. As of the end of the period covered by this report, cases still were pending in district courts against four other senior Aum members, including its leader Shoko Asahara. The Tokyo District Court continues to order Aum Shinrikyo/Aleph to pay several million dollars in compensation to survivors and next-of-kin in connection with these cases. In August 2001, the Tokyo District Court ordered seven former Aum members to pay \$475,806 (59 million yen) in compensation to relatives of a man who had been abducted and killed by Aum members in 1995.

In 1999 the Diet enacted two laws allowing the authorities to monitor and inspect without warrant facilities of groups found to have committed "indiscriminate mass murder during the past 10 years" and to uncover assets of companies associated with these groups. The 1999 laws also permit the authorities to place restrictions on the use of properties owned by these groups if they are found to engage in aggressive recruiting. The new laws are subject to review in 2005. On the basis of this legislation, the Public Security Examination Commission placed Aum Shinrikyo/Aleph under continuous surveillance in January 2000 for a 3-year period. The Public Security Investigative Agency conducted at least 12 on-site inspections of 27 Aum Shinrikyo/Aleph facilities around the country in connection with the surveillance order during the period covered by this report. In June 2001, the Tokyo District Court rejected an Aum Shinrikyo/Aleph lawsuit that argued the surveillance is a violation of the constitutional right to religious freedom.

Under the 1999 laws, Aum Shinrikyo/Aleph also is required to file a report every 3 months, listing member names and addresses. In 2000 the Supreme Court upheld the decision of Ibaraki prefecture to block the school registration of three children of Aum Shinrikyo founder Shoko Asahara; there were no further developments in this case during the period covered by this report.

Security officials investigated the activities of mosques periodically during the fall of 2001.

Members of the Unification Church and Jehovah's Witnesses continued to allege that police do not act in response to allegations of forced deprogramming of church members. They also claimed that police do not enforce the laws against kidnaping when the victim is held by family members and that Unification Church members are subjected to prolonged detention by individuals, who are not charged by police.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom; however, there was some societal discrimination against followers of Aum Shinrikyo/Aleph.

In March 2002, Kyushu University officials refused to admit a former Aum member who had passed the University's medical faculty entrance examination on the basis of his past Aum membership. At least eight municipalities in which Aum Shinrikyo/Aleph facilities are active refused to register Aum Shinrikyo/Aleph group members as residents due to opposition by local residents. Aum Shinrikyo/Aleph

filed 8 lawsuits on behalf of 71 members to challenge the refusal to register their members as residents. During the period covered by this report, district courts in Osaka, Nagoya, and Tokyo ordered several municipalities to rescind their decisions to refuse to register Aum Shinrikyo/Aleph members, and also ordered that they pay damages to the applicants. In April and May 2002, the Nagoya High Court and the Tokyo High Court upheld the district court rulings. However, some local authorities continued to appeal the district decisions to higher courts at the end of the period covered by this report.

In November 2001, a woman was convicted for a May 2001 incident in which she threw a defaced copy of the Koran at a place of business owned by a Muslim foreign resident. The Toyama District Court sentenced the woman to a 1-year suspended sentence of penal servitude for the theft of four copies of religious text from a Muslim place of worship. The defendant claimed that she had committed the act to embarrass her family publicly.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights, including the promotion of religious freedom internationally. The U.S. Embassy maintains periodic contact with representatives of religious organizations.

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### KIRIBATI

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country, an island state of approximately 265 square miles, has a population of approximately 90,000. Missionaries introduced Christianity into the area in the mid-19th century. According to 2002 government statistics, major religious groups include: The Roman Catholic Church (55%); the Kiribati Protestant Church (KPC), formerly the Congregational Church (37%); the Seventh-Day Adventists (2%); the Baha'i Faith (2%); and the Church of Jesus Christ of Latter-Day Saints (Mormons) (3%). Persons with no religious preference account for about 5 percent of the population.

Missionaries from the Church of Jesus Christ of Latter-Day Saints operate a school in Tarawa and recruit among the I-Kiribati, the ethnic majority, for missionaries to work within the country and in other Pacific island nations. The Church also sponsors a number of scholarships for I-Kiribati to attend Brigham Young University in Hawaii.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

There is no state or politically dominant religion. The Government does not favor a particular religion, nor are there separate categories for different religions.

##### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Christianity, the religion of more than 90 percent of the population, is a dominant social and cultural force, but there are amicable relations among the country's religions. Nonbelievers, who constitute a very small percentage of the residents, do not suffer discrimination. Virtually all governmental and social functions begin and end with an interdenominational Christian prayer delivered by an ordained minister, cleric, or church official.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the overall context of the promotion of human rights.

**DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA <sup>1</sup>**

The Constitution provides for "freedom of religious belief;" however, in practice the Government discourages organized religious activity, except that which is supervised tightly by officially recognized groups linked to the Government. Genuine religious freedom does not exist.

There was no change in the extremely poor level of respect for religious freedom during the period covered by this report. The regime appears to have cracked down on unauthorized religious groups in recent years, and there have been unconfirmed reports of the killing of members of underground Christian churches. In addition religious persons who proselytize or who have ties to overseas evangelical groups operating across the border with the People's Republic of China (PRC) appear to have been arrested and subjected to harsh penalties, according to several unconfirmed reports. In the late 1980's, there was some easing of religious discrimination policies when the Government initiated a campaign highlighting the "benevolent politics" of the country's leader at that time, Kim Il Sung. Government-sponsored religious groups that were established at that time continue to operate. The Government allowed some foreign religious leaders to visit the country during the period covered by this report. The inter-Korean summit in mid-2000 led to an increase in contacts with the Republic of Korea; the impact of these contacts on the religious freedom situation remains unclear.

There was no information available on societal attitudes toward religious freedom.

The U.S. Government does not have diplomatic relations with the Democratic People's Republic of Korea (DPRK), and information about the situation for religious freedom in the country is limited. The Government maintains tight and effective control on information on conditions in the country. In October 2001, the Secretary of State designated the DPRK as a "Country of Particular Concern" for particularly severe violations of religious freedom.

The Government does not allow representatives of foreign governments, journalists, or other invited visitors the freedom of movement that would enable them to assess fully human rights conditions in the country. This report is based on information obtained over more than a decade, updated where possible by information drawn from recent interviews, reports, and other documentation. While limited in detail, this information is nonetheless indicative of the religious freedom situation in the country today.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 47,000 square miles, and its population is approximately 21 million. The number of religious believers is unknown but has been estimated by the Government at 10,000 Protestants, 10,000 Buddhists, and 4,000 Catholics. Estimates by South Korean church-related groups are considerably higher. In addition the Chondogyo Young Friends Party, a government-approved group based on a traditional religious movement, still exists. According to

<sup>1</sup>The United States does not have an embassy in North Korea. This report draws heavily on non-U.S. Government sources.

the Government, the number of practitioners of the Chondogyo religion is approximately 40,000. There has been a limited revival of Buddhism with the translation and publication of Buddhist scriptures that had been carved on 80,000 wooden blocks and kept at the Haeinsa temple in the South. In the late 1980's, the Government sent two Roman Catholic men to study for ordination in Rome. However, the two returned before being ordained priests, and it still is not known whether any Catholic priests, whose role is a fundamental element for the practice of the Catholic faith, remain in the country. Seoul Archbishop Nicholas Jin-Suk Cheong, appointed by the Pope as Apostolic Administrator of Pyongyang, was quoted in July 2000 as stating that while there were 50 priests in the country in the 1940's, it was not known if they still were alive in July 2000. In 2002, according to a South Korean press report, the chairman of the Association of North Korean Catholics stated that the Catholic community in the North has no priest, but that weekly prayer services are held at the Changchung Catholic Church in Pyongyang.

Two Protestant churches under lay leadership—the Pongsu and Chilgok churches—and a Roman Catholic church (without a priest) have been open since 1988 in Pyongyang. One of the Protestant churches is dedicated to the memory of former North Korean leader Kim Il Sung's mother, Kang Pan Sok, who was a Presbyterian deacon. Several foreigners resident in Pyongyang attend Korean services at these churches on a regular basis. Although some foreigners who have visited the country over the years stated that church activity appears staged, others believe that church services are genuine, although sermons contain both religious and political content supportive of the regime. The Government claims, and some visitors agree, that there are more than 500 authorized "house churches." Hundreds of religious figures have visited the country in recent years, including papal representatives, the Reverend Billy Graham, and religious delegations from the Republic of Korea, the United States, and other countries. Vatican representatives, including Archbishop Celestino Migliore, Vatican Undersecretary for Relations with States, visited the country in November 2000 and in May 2002. On each occasion, the delegation reported meeting with the Catholic community in Pyongyang, and with officials of the Association of North Korean Catholics. During the 2002 visit, the delegation celebrated the Feast of the Ascension with the local and international Catholic community at the Changchung Church in Pyongyang. In July 2001, a delegation from the Seoul Archdiocese of the Catholic Church visited the country and met with officials of the Association of North Korean Catholics. Overseas religious relief organizations also have been active in responding to the country's food crisis. An overseas Buddhist group has been operating a factory in the Najin-Sonbong Free Trade Zone since 1998 to produce food for preschool children. A noodle factory established by contributions from Catholics from the Seoul Archdiocese opened in 2001. The Unification Church, which has business ventures in the country, is constructing an interfaith religious facility in Pyongyang.

There are an estimated 300 Buddhist temples in the country. Most of the temples are regarded as cultural relics, but religious activity is permitted in some of them. On June 4, 2002, Kim Jong Il visited the Ryangchon Buddhist temple in South Hamgyong Province. Although his comments during the visit centered on preserving the country's cultural relics, his appearance at any religious site is noteworthy.

There have been unconfirmed reports of members of underground Christian churches. Some older citizens who were religious believers before 1953 reportedly have maintained their faith in secret over the years.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for "freedom of religious belief;" however, in practice the Government discourages organized religious activity, except that which is supervised by officially recognized groups. Genuine religious freedom does not exist. The Constitution also stipulates that religion "should not be used for purposes of dragging in foreign powers or endangering public security."

"Juche," or self-reliance, the Government's cult of personality and state ideology, has become a kind of civil religion used by the Government as a "spiritual" underpinning for its rule. As defined by Kim Il Sung, juche is a quasi-mystical concept in which the collective will of the populace is distilled into a supreme leader. Refusal on religious or other grounds to accept the leader as the supreme authority exemplifying the State and society's needs thus is regarded as opposition to the national interest.

Until the 1940's, Pyongyang was a major center of Christianity on the Korean Peninsula. However, many Christians in the North fled to the South between 1945 and 1953. During and immediately after the Korean War of 1950-53, large numbers of

religiously active persons were identified by the Government as “counterrevolutionaries,” and many of them were killed or imprisoned in concentration camps. The peak of this oppression was in the early 1970’s when a constitutional revision added a clause regarding “freedom of anti-religious activity.” The Government began to moderate its religious discrimination policies in the late 1980’s, when it launched a campaign highlighting Kim Il Sung’s “benevolent politics.” As part of this campaign, the regime eased the system that it had instituted after a period of factional strife in the 1950’s of classifying the population into dozens of rigidly defined categories according to family background and loyalty to the regime, and allowed the formation of several government-sponsored religious organizations. These organizations serve as interlocutors with foreign church groups and international aid organizations. Foreigners who have met with representatives of these organizations believe that some members genuinely are religious but note that others appear to know little about religious dogma or teaching. Although the organizations continue to operate and visits by foreign religious figures have increased, the Government appears to have suppressed unauthorized religious groups in recent years. In particular, religious persons who proselytize or who have ties to overseas evangelical groups operating across the border with China appear to have been arrested and subjected to harsh penalties, according to several unconfirmed reports. A constitutional change in 1992 deleted the clause regarding freedom of anti-religious propaganda, authorized religious gatherings, and provided for “the right to build buildings for religious use.”

The inter-Korean summit in mid-June 2000 led to an increase in contacts with persons in the Republic of Korea. Civic groups in the South, including religious organizations, have been active in efforts to promote inter-Korean reconciliation, including participation in North-South activities such as Liberation Day celebrations. Discussions between these groups and their Northern counterparts generally have been limited to promoting social and cultural exchanges. The impact of these contacts on religious freedom in North Korea remains unclear.

Several schools for religious education exist. There are 3-year colleges for training Protestant and Buddhist clergy. A religious studies program also was established at Kim Il Sung University in 1989; its graduates usually go on to work in the foreign trade sector. A Protestant seminary was reopened in 2000 with assistance from foreign missionary groups; however, critics, which included at least one church official providing assistance, stated that the Government opened the seminary only to train personnel to facilitate reception of assistance funds from foreign faith-based nongovernmental organizations (NGO’s).

#### *Restrictions on Religious Freedom*

Persons engaging in religious proselytizing may be arrested and subjected to harsh penalties, including imprisonment and prolonged detention without charge. The Government appears concerned that religiously based South Korean relief and refugee assistance efforts along the northeast border with the PRC may become entwined with more political goals, including overthrow of the regime. The food crisis apparently has heightened government concern about anti-regime activity. An article in the Korean Workers Party newspaper in 1999 criticized “imperialists and reactionaries” for trying to use ideological and cultural infiltration, including religion, to destroy socialism from within.

Little is known about the day-to-day life of religious persons in the country. Members of government-recognized religious groups do not appear to suffer discrimination; in fact, some reports claim that they have been mobilized by the regime. Persons whose parents were believers but who themselves do not practice religion are able to rise to at least the middle levels of the bureaucracy, despite their family background. In the past, such individuals suffered broad discrimination. Members of underground churches connected to border missionary activity appear to be regarded as subversive elements.

In July 2001, the U.N. Human Rights Committee noted “with regret” that the Government was unable to provide up-to-date information about religious freedom in the country. The Committee also noted, “in the light of information available to the Committee that religious practice is repressed or strongly discouraged” in the country, its concern regarding the authorities’ practice with respect to religious freedom. The Committee requested that the Government provide the Committee with up-to-date information regarding the number of citizens belonging to religious communities and the number of places of worship, as well as “practical measures taken by the authorities to guarantee freedom of exercise of religious practice” by the religious communities in the country.

In June 2001, a North Korean delegation visited Brussels to discuss human rights issues with the European Union (EU), and in October 2001, the Director General

of the External Relations Department of the EU stated that the North Korean responses to his queries on the reported persecution of Christians in the country and on other human rights issues were “inconclusive” and “tentative.”

*Abuses of Religious Freedom*

The Government deals harshly with all opponents, including those engaging in religious practices deemed unacceptable to the regime. Religious and human rights groups outside of the country have provided numerous, unconfirmed reports that members of underground churches have been beaten, arrested, or killed because of their religious beliefs. According to an unconfirmed report, 7 Christian men, ranging in age from 15 to 58 years, were killed in April 2000. According to another unconfirmed report, 23 Christians were killed between October 1999 and April 2000; some reportedly were killed under falsified criminal charges, and some reportedly were tortured prior to their deaths. Defectors interviewed by a former humanitarian aid worker claimed that Christians were imprisoned and tortured for reading the Bible and talking about God, and that some Christians were subjected to biological warfare experiments. These reports, and reports of even higher numbers of killings, could not be confirmed or disproved because of the effectiveness of the Government in barring outside observers.

In April 1999 and in May and June 2002, witnesses testified on the treatment of persons held in prison camps through the early 1990's. The witnesses stated that prisoners held on the basis of their religious beliefs generally were treated worse than other inmates. One witness, a former prison guard, testified that because the authorities taught that “all religions are opium,” those believing in God were regarded as insane. He recounted an instance in which a woman was kicked repeatedly and left with her injuries unattended for days because a guard overheard her praying for a child who was being beaten. Another individual testified that in 1990, while serving a sentence in a prison that had a cast-iron factory, she witnessed the killing of several elderly Christians by security officers who poured molten iron on them after they refused to renounce their religion and accept the state ideology of *juche*. Because the country is a closed society, such allegations could not be substantiated.

Nonetheless, the collective weight of anecdotal evidence over the years of harsh treatment of unauthorized religious activity lends credence to such reports. The regime deals harshly with its critics, and views religious believers belonging to underground congregations or with ties to evangelical groups in North China as opponents. Reports of executions, torture, and imprisonment of religious persons in the country continue to emerge.

The regime appears to have cracked down on unauthorized religious groups in recent years, especially persons who proselytize or who have ties to overseas evangelical groups operating across the border with China. There were several unconfirmed reports of killings of such persons during the period covered by this report. There were unconfirmed reports that repatriated North Korean defectors who were found to have contacted Christian missionaries outside the North were punished severely, and in some cases were executed. News reports indicated that the Government had taken steps to tighten control and increase punishments at the Chinese border, increasing the award for information on any person doing missionary work. One South Korean missionary asserted that the Government was conducting “education sessions” as a means for identifying Christian leaders so that they could be apprehended.

There is no reliable information on the number of religious detainees or prisoners, but there have been unconfirmed reports that some of those detained in the country are detained because of their religion. According to a 2001 press report, 6,000 Christians were being held in Prison Number 15 in the northern part of the country. In 2000, a religious publication reported an unnamed South Korean pastor's claim that there were approximately 100,000 Christians among those imprisoned in labor camps. These reports could not be confirmed.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

There was no information available on societal attitudes toward religious freedom. The regime does not allow representatives of foreign governments, journalists, or other visitors the freedom of movement that would enable them to assess religious freedom in the country fully.

## SECTION IV. U.S. GOVERNMENT POLICY

The United States does not have diplomatic relations with the DPRK and has no official presence there. The country is a closed society and is extremely averse and resistant to outside influences. U.S. policy allows U.S. citizens to travel to the country, and a number of churches and religious groups have organized efforts to alleviate suffering caused by shortages of food and medicine. In October 2001, the Secretary of State designated the DPRK as a "Country of Particular Concern" for particularly severe violations of religious freedom.

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**REPUBLIC OF KOREA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 98,000 square miles, and its population is approximately 47 million. According to the most recent government survey, taken in 1995 (when the population was 44,600,000), the country's major religions and the number of adherents of each at that time were: Buddhism, 10,321,012; Protestantism, 8,760,336; Roman Catholicism, 2,950,730; Confucianism, 210,927; Won Buddhism, 86,923; and other religions, 267,996. There were 21,593,000 citizens who did not practice any religion. While the population has increased since 1995, the percentage of adherents of each faith has remained approximately the same in recent years. Although no official figures are available for the number of adherents of other religions, these include the Elijah Evangelical Church, the Jesus Morning Star Church, and the All People's Holiness Church. Muslims, members of the Unification Church, members of the Church of Jesus Christ of Latter-Day Saints (Mormons), and members of Jehovah's Witnesses also are present.

Buddhism has approximately 38 orders. The Catholic Church has 15 dioceses, including one based in Seoul. There are 83 Protestant denominations, including the Methodist, Lutheran, Baptist, Presbyterian, and Anglican churches, and the Korean Gospel Church Assembly. Among those practicing a faith, 41.7 percent reported that they attended religious services or rituals at a temple or church at least once per week. Six percent responded that they attended religious services 2 to 3 times per month; 9.4 percent attended once per month; 6.8 percent attended once every 2 to 3 months; 26.9 percent attended once per year; and 9.2 percent did not attend services. Among practicing Buddhists, 1.2 percent responded that they attended religious services. A total of 71.5 percent of Protestants and 60.4 percent of Catholics responded that they attended religious services.

There are 17 Protestant and 6 Catholic missionary groups operating in the country. The Protestant groups include: Christians in Action, Korea; the Church of the Nazarene, Korea Mission; the Overseas Mission Fellowship; and World Opportunities International, Korea Branch. The Catholic missionary groups include the Missionaries of Guadeloupe, the Prado Sisters, and the Little Brothers of Jesus.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There is no state religion, and the Government does not subsidize or favor a particular religion.

There are no government-established requirements for religious recognition. To protect cultural properties such as Buddhist temples, in 1987 the Government instituted the Traditional Temples Preservation Law. In accordance with this law, Buddhist temples receive some subsidies from the Government for their preservation and upkeep.

In accordance with the March 1, 1999 change in the Immigration Control Law, foreign missionary groups no longer are required to register with the Government.

The Government does not require or permit religious instruction in public schools. Private schools are free to hold religious activities.

The Religious Affairs Bureau of the Ministry of Culture and Tourism takes the lead in organizing groups such as the Korea Religious Council and the Council for Peaceful Religions to promote interfaith dialog and understanding. The Bureau also is responsible for planning regular events such as the Religion and Art Festival, the Seminar for Religious Leaders, and the Symposium for Religious Newspapers and Journalists.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

In August 1998, Catholic priest Moon Kyu Hyun was arrested on charges of violating the National Security Law after returning from North Korea, where he allegedly wrote in praise of Kim Il Sung in a North Korean visitor's book and participated in a North Korean-sponsored reunification festival in Panmunjom. The eight other priests who traveled with him were not arrested, and Father Moon's arrest apparently was not based on his religious beliefs. He was released on bail in October 1998. In May 2000, Father Moon was sentenced to 2 years in prison and granted a 2-year stay of the execution of the sentence, equivalent to probation or a suspended sentence. He appealed this decision, and at a hearing of his appeal on May 10, 2002, the court sentenced him to 8 months' imprisonment (a reduction of the original 2-year sentence) and again granted him a 2-year stay of the sentence. Father Moon reportedly was planning to lodge a final appeal, but had not done so by the end of the period covered by this report.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among religious groups generally are amicable and free of incident, and religious tolerance is widespread. In 2000 there were press reports of so-called "Protestant fanatics" damaging Buddhist temples and artifacts through vandalism and arson. In mid-2000, a Christian was arrested for vandalism of Dong Kuk University, a Buddhist institution, and of some small temples. Such reports generated calls for religious tolerance and mutual respect in the media and among the general public. However, such incidents are rare, and religious leaders regularly meet both privately and under government auspices to promote mutual understanding and tolerance. These meetings are given wide and favorable coverage by the media.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. embassy officials also meet regularly with members of various religious communities to discuss issues related to human rights.

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## LAOS

The Constitution provides for freedom of religion; however, the Government restricts this right in practice. Some government officials committed abuses of citizens' religious freedom.

The Government's poor record of respect for religious freedom improved moderately during the period covered by this report. The Lao Front for National Construction (LFNC), the popular front organization for the Lao People's Revolutionary Party (LPRP), is responsible for oversight of religious practice. The LFNC's efforts to instruct local officials to tolerate minority religions contributed to a decrease in arrests and forced renunciations of Christianity in some areas that previously had experienced significant abuse of Christian congregations. In addition, although authorities continued to close some Protestant churches in several provinces, the number of church closings was fewer than in the period covered by the previous report.

In the beginning of 2002, authorities allowed some of these closed churches to reopen. However, problems remained and officials in some localities continued to attempt to force believers to renounce their faith, although no instances of forced renunciation were reported after December 2001. There were 6 known religious prisoners and 13 detainees, all Christians, at the end of the period covered by this report.

There were generally amicable relations among the various religious groups in society; however, officials have reported that tensions over religious practice occasionally occurred in some villages, often resulting from conflicts over use of village resources or from proselytizing. Since many adherents of minority religions are ethnic minorities, conflicts between ethnic groups also have contributed to religious tensions.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Embassy representatives discussed the need for greater religious freedom at senior as well as at working levels of the central Government and the LPRP, and remained in frequent contact with religious leaders.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 85,000 square miles, and its estimated population is approximately 5.2 million. Approximately 60 to 65 percent of the population, most of whom are lowland Lao, follow Theravada Buddhism. Followers of animism, the second largest religion, are estimated at 30 percent of the population, and are found among Lao Theung (mid-slope dwelling) and Lao Soung (highland) minority tribes. Animist beliefs and practices greatly vary between tribes. Among lowland Lao, particularly in the countryside, there is both a certain syncretistic practice of, and tolerance for, animist customs among those who devote themselves to Buddhist beliefs and rituals. Christians, including Roman Catholics, constitute approximately 2 percent of the population. Other minority religions include the Baha'i Faith, Islam, Mahayana Buddhism, and Confucianism. A very small number of citizens follow no religion.

In Vientiane there are five Mahayana Buddhist pagodas, two serving the Lao-Vietnamese community and three serving the Lao-Chinese community. Buddhist monks from Vietnam, China, and India have visited these pagodas freely to conduct services and to minister to worshipers. There are at least four more large Mahayana Buddhist pagodas in other urban centers. There also are unconfirmed reports of other smaller Mahayana pagodas in villages near the borders of Vietnam and China. Buddhist nuns reportedly serve some of these pagodas. Whether a monk could reside permanently in any of these pagodas is unknown; the key determinant appears to be the expense for the congregation. Reportedly one Mahayana pagoda in Pakse has at least one monk from Vietnam in residence at all times.

The Roman Catholic Church has a following of 30,000 to 40,000 adherents, many of whom are ethnic Vietnamese, concentrated in major urban centers along the Mekong River. The Catholic church is unable to operate effectively in the highlands and much of the north because churches are not allowed to register, and worship services are restricted in some areas. The Catholic church has an established presence in five of the most populous central and southern provinces, where Catholics are able to worship openly. However, the Catholic church's activities are circumscribed in the north, and a once thriving Catholic community in Luang Prabang province now is moribund. There are three bishops, located in Vientiane, Thakhek, and Pakse, who were able to visit Rome to confer with other bishops and the Pope. A fourth bishop, for the northern part of the country, has not been allowed to take up his post in Luang Prabang and remains in residence in Vientiane. A Catholic training center in Thakhek is training a small number of priests to serve the Catholic community. In addition several foreign nuns have served temporarily in the Vientiane diocese.

Approximately 250 to 300 Protestant congregations conducted services throughout the country for a Protestant community that has grown rapidly in the past decade; church officials estimate Protestants number approximately 60,000. The LFNC recognizes two Protestant groups: the Lao Evangelical Church (LEC), which is the umbrella Protestant Church, and the Seventh-Day Adventist Church. The LFNC strongly encourages all other Protestant groups to become part of the LEC church. Most Protestants belong to the LEC church. The majority of Protestants are members of ethnic Mon-Khmer tribes; however, in recent years, many lowland Lao have become converts, and many ethnic Hmong also are Protestants. Most of the LEC church membership is concentrated in Vientiane municipality, in the provinces of Vientiane, Sayaboury, Luang Prabang, Xieng Khouang, Bolikhamsai, Savannakhet,

Champassak, Attapeu, and in the Saisomboun Special Zone, but smaller congregations are found throughout the country. The Seventh-Day Adventist congregation numbers approximately 700 followers in Vientiane and in the south. The Government has granted permission to four Protestant congregations from the two approved denominations to have church buildings in the Vientiane area. In addition the LEC church maintains properties in Savannakhet and Pakse. Several LEC church properties in Savannakhet and Pakse were seized by the Government after 1975, but were returned to the church in the early 1990's. Two informal churches, one English-speaking and one Korean-speaking, service Vientiane's foreign Christian community.

Within the LEC church, some congregations seek greater independence and have forged their own connections with Protestant groups abroad. As the LEC church has grown, an increased diversity of views has emerged among adherents and pastors; however, the Government is unlikely to approve the registration of a separate denomination.

There are approximately 400 adherents of Islam in the country, the vast majority of whom are foreign permanent residents of Middle Eastern and Cambodian (Cham) origin. There are two active mosques in Vientiane that minister to the Sunni and Shafie branches of Islam.

The Baha'i Faith has more than 1,200 adherents and four centers: two in Vientiane municipality, one in Vientiane province, and one in Pakse. Small groups of followers of Confucianism and Taoism practice their beliefs in the larger cities.

Although the Government prohibits foreigners from proselytizing, there were reports that a very small number of both foreign missionaries and citizens were engaged in missionary work during the period covered by this report.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion; however, the authorities, particularly at the local level, interfere with this right in practice. Article 30 of the Constitution provides for freedom of religion, however, Article 9 discourages all acts that create divisions among religions and persons. The LPRP and the Government appear to interpret this constitutional provision narrowly, and consequently inhibit religious practice by all persons, especially those belonging to minority religions. Although official pronouncements accept the existence of different religions, they emphasize the potential to divide, distract, or destabilize. Many local officials, as well as some senior officials in the central Government and the LPRP, appear to interpret Article 9 as justification to prohibit proselytizing and to discourage religious conversions, especially to Christianity.

The absence of rule of law has created an atmosphere in which authorities may act with impunity against persons regarded as posing a threat to social order. Religious practitioners arrested for their religious activities have been charged with exaggerated security or other criminal offenses. Persons detained may be held for lengthy periods without trial. Court judges, not juries, decide guilt or innocence in court cases, and an accused person's defense rights are limited. A person arrested or convicted for religious offenses has little protection under the law. All religious groups, including Buddhists, practice their faith in an atmosphere in which the application of the law is arbitrary. Certain actions interpreted by officials as threatening may bring harsh punishment. Religious practice is "free" only if the practitioners stay within tacitly-understood guidelines of what is "acceptable" to the Government and the LPRP.

To establish clearer guidelines than those provided by the Constitution on the rights and obligations of religious faiths, the Department of Religious Affairs in the LFNC drafted regulations for religious organizations in late 1999. Subsequently, numerous government agencies as well as senior leaders of the major religious groups reviewed the draft regulations. Following a series of reviews and modifications, some made at the request of religious leaders, the regulations were forwarded to the Office of the Prime Minister in late 2001 for preparation to issue them as a Prime Ministerial Decree. The Prime Minister's Office reportedly was reviewing the final drafts of the regulations but had yet to promulgate the new rules by the end of the period covered by this report. Although religious leaders who have read the draft regulations generally have concluded that they will have a positive effect on religious freedom, some critics who have reviewed them believe that they will continue to limit religious freedom.

The Constitution provides that the State "mobilizes and encourages" monks, novices, and priests of other religions to participate in activities "beneficial to the nation and the people." The Department of Religious Affairs in the LFNC is respon-

sible for overseeing all religions. Although the Government does not require registration, all functioning religious groups report to the Department of Religious Affairs quarterly. Reports of activities effectively constitute a system of approval; the approval process for new facilities is bureaucratic, time consuming, and results in few new facilities. Some groups do not submit applications for establishment of places of worship because they do not believe that their applications will be approved.

Although the State is secular in both name and practice, members of the LPRP and governmental institutions pay close attention to Theravada Buddhism, which is practiced by more than 60 percent of the population. The Government's observation, control of clergy, training support, and oversight of temples and other facilities constitute less a form of favoritism than a means to supervise, limit and monitor religious freedoms among the dominant Buddhist faith. Many persons regard Buddhism as both an integral part of the national culture and as a way of life.

Animists generally experienced no interference from the Government in their religious practices. However, the Government actively discourages animist practices that it regards as outdated, unhealthy, or illegal, such as the practice in some tribes of infanticide of infants born with defects or of keeping the bodies of deceased relatives in homes.

Although the Government does not recognize the Vatican, the Papal Nuncio visits from Bangkok, Thailand and coordinates with the Government on assistance programs, especially for lepers and the disabled.

All persons in the Islamic community appear to be able to practice their faith openly, freely attending the two active mosques. Daily prayers and the weekly Jumaat prayer on Fridays proceed unobstructed and all Islamic celebrations are allowed. Citizens who are Muslims are able to go on the Hajj. Groups that conduct Tabligh teachings for the faithful come from Thailand once or twice per year. During the period covered by this report, the Government paid closer scrutiny to the activities of the small Muslim population, but did not interfere with the community's religious activities.

The small Seventh-Day Adventist Church has reported no government interference in its activities in recent years, and its members appear to be free to practice their faith.

Baha'i local spiritual assemblies and the national spiritual assembly routinely hold Baha'i 19-day feasts and celebrate all holy days. The national spiritual assembly meets regularly and is free to send a delegation to the Universal House of Justice in Mount Carmel, Haifa, Israel.

There is no religious instruction in public schools, nor are there any parochial or religiously affiliated schools operating in the country. In practice many boys spend some time in Buddhist temples, where they receive instruction in religion as well as in academics. Temples traditionally have filled the role of schools and continue to play this role in smaller communities where formal education is limited or unavailable.

The Government has only one semi-religious holiday, Boun That Luang, which also is a major political and cultural celebration. However, the Government recognizes the popularity and cultural significance of Buddhist festivals, and most senior officials openly attend them. The Government permits major religious festivals of all established congregations without hindrance.

The Government requires and routinely grants permission for formal links with coreligionists in other countries. In practice the line between formal and informal links is blurred, and relations generally are established without much difficulty.

#### *Restrictions on Religious Freedom*

The Government's tolerance of religion varied by region and by religion, with Christian Protestants continuing to be the target of most harassment. Although generally not subjected to harassment, the Buddhist hierarchy is subject to close oversight by the Government. In general central Government authorities appeared unable—and in some cases, unwilling—to control or mitigate harsh measures that were taken by some local or provincial authorities against members of minority religious denominations. However, the LFNC took measures during the period covered by this report to mitigate the arbitrary behavior of local officials in some areas where harassment of Christian religious minorities had been most severe. These efforts resulted in a few areas where there was notable improvement and others where there was only marginal or no improvement. Some parts of the country, especially urban areas, experienced little or no overt religious abuse. However, even in these areas, believers who actively proselytized or took leadership positions feared arrest or other harassment, given the lack of clear legal safeguards for religious minorities. Although there was almost complete freedom to worship among unregis-

tered groups in a few areas, particularly in the largest cities, government authorities in many regions allowed properly registered religious groups to practice their faith only under circumscribed conditions.

In 2001 local authorities closed approximately 20 of Vientiane province's 60 LEC churches, primarily those in Hin Hoep, Feuang, and Vang Vieng districts. During 1999 and 2001, district and provincial authorities, supported by police, closed approximately 65 LEC churches in Savannakhet and Luang Prabang provinces. Many of these closed churches were allowed to reopen in 2002, especially in Vientiane province; however, the majority remained closed at the end of the period covered by this report.

Unlike in previous years, there were no reports that security forces in some villages set up roadblocks to prevent villagers from traveling to Sunday worship services. Previously many groups of coreligionists seeking to assemble in a new location were thwarted in attempts to meet, practice, or to celebrate major religious festivals.

Although in general officials in southern provinces were more tolerant of minority religious practice than in the north, some local harassment continued to persist. For example, many converts must undergo a series of harsh government interviews; however, after overcoming this initial barrier, the converts generally are permitted to practice their new faith unhindered.

The LEC church encountered difficulties registering new congregations and receiving permission to establish new places of worship or to expand existing facilities, including facilities in Vientiane; however, unlike in the previous reporting period, no other minority religious groups encountered such difficulties. Authorities appeared to be using these measures to limit the LEC churches' growth. Congregations that have been denied permission to establish churches often conduct informal services in members' homes. In addition authorities continued to require new denominations to join other religious groups having similar historical antecedents, despite clear differences between the groups' beliefs. The LFNC strongly encourages all Protestant groups to become a part of the LEC church and has not allowed other Protestant Churches, other than the Seventh-Day Adventist Church, to operate openly. Nonetheless, there are some practicing Protestant congregations that are not associated with the LEC church.

The authorities continued to remain suspicious of patrons of religious communities other than Buddhism, especially Christian groups, in part because these faiths do not share the high degree of direction and incorporation into the government structure that Theravada Buddhism experiences. Some authorities criticized Christianity in particular as a Western or imperialist "import" into the country. Local authorities, probably with the encouragement from some officials in the central Government or LPRP, appear to have singled out the LEC church as a target of harassment—the majority of church closings, arrest of religious leaders, and forced renunciations of faith have been directed against the LEC church. The LEC churches' rapid growth over the last decade, its contact with religious groups abroad, the active proselytizing on the part of some of its members, and its independence of central Government control all have contributed to the Government's and the LPRP's suspicion of the church's activities. Some authorities also have chosen to interpret Christian teachings of obedience to God as signifying disloyalty to the Government and Party. The membership of the LEC church is made up mostly of members of ethnic Mon-Khmer tribes and Hmong, two groups that historically have resisted central Government control, and this has contributed to the Government's and the LPRP's distrust of the church.

The Government restricted the celebration of major Christian holidays by some congregations. Some LEC church congregations in remote areas of Vientiane, Luang Prabang, Savannakhet, and Sayaboury provinces were not permitted to celebrate Christmas and Easter holidays during the period covered by this report. In addition local authorities in several areas on occasion attempted to force Christian communities to adhere to Buddhist practices by working on Sundays or resting on Buddhist holy days. There were no reports of official interference in or denial of permission to hold religious celebrations of other religious groups. Unlike in the period covered by the previous report, there were no reports of security forces stopping all large vehicles that carried multiple passengers during Sunday worship hours to prevent villagers from traveling to attend worship services.

The Catholic Church has experienced little overt harassment in recent years, but long-standing restrictions on its operations in the north have shut down the once thriving Catholic community in Luang Prabang and have left only a handful of small congregations in Sayaboury, Bokeo, and Luang Namtha. Authorities have refused to grant permission to the Bishop of Luang Prabang, who lives in Vientiane, to live in his own diocese. During the period covered by this report, authorities continued to restrict the Bishop's travel to his diocese, allowing him regular visits to

Sayaboury province only. There are no ordained Catholic priests operating in the north. The former Catholic Church in Luang Prabang was seized by authorities after 1975 and has not been returned to the church. In the central and southern parts of the country, Catholic congregations are able to practice their religion freely.

The Government prohibits foreigners from proselytizing, although it permits foreign nongovernmental organizations (NGOs) with religious affiliations to work in the country. Foreigners caught distributing religious material may be arrested or deported. There is no prohibition against proselytizing by citizens; however, on several occasions, persons found proselytizing with religious material were subject to arrest for "creating social divisions." Nevertheless, religious followers do proselytize, resulting in new conversions.

The Government does not permit the printing of non-Buddhist religious texts or their distribution outside a congregation and restricts importation of foreign non-Buddhist religious texts and artifacts. On occasion authorities have seized religious material brought into the country from abroad. Persons bringing in religious material face possible arrest. Because of these restrictions, some approved Christian congregations have complained of difficulty obtaining Bibles and religious material.

The Government generally does not interfere with the travel of its citizens wishing to go abroad for short-term religious training; however, it requires that such travelers notify authorities of the purpose of their travel and obtain permission in advance. In practice many persons of all faiths travel abroad informally for religious training without obtaining advance permission or without informing authorities of the purpose of their travel. The Ministry of Foreign Affairs has the power to grant exit visas and usually grants them as a matter of routine. There is no evidence that the central Government investigated travelers on their return. Unlike in the period covered by the previous report, there were no reports of reprisals taken against persons traveling abroad in Savannakhet province.

Until recently government-issued identity cards reported the religious affiliations of all adult citizens. Newly issued cards do not specify religion, but are coming into use only gradually, and most persons still carry the old cards. Designation of religious affiliation has created difficulties for members of religious minorities, especially Christians. In many areas, minority believers are identified incorrectly as "Buddhist" on identity cards in what appears to be routine bureaucracy and indifference. However, Christians who seek to be identified properly often are denied this right. When police question members of groups assembling for religious purposes, if the improperly issued identity card does not confirm the stated reason for assembling, the bearer may be subject to additional scrutiny and questioning.

Some evidence suggests that the Government makes little effort to ameliorate existing societal discrimination against ethnic minorities when that social tension can be cited as a pretext to restrict religious activities.

#### *Abuses of Religious Freedom*

Authorities continued to arrest persons for their religious activities, although in smaller numbers than in previous years. Most detentions that occurred during the period covered by this report were of short duration, usually less than 2 months. A number of detainees arrested in 2001 were released in Attapeu, Savannakhet, and Luang Prabang provinces. The greatest number of detainees at one time, including those sentenced and those arrested and detained without sentence, was approximately 40 in mid-2002. At the end of the period covered by this report there were 19 religious prisoners and detainees, all Christians. There were some reports that religious detainees were singled out for mistreatment while in confinement. Conditions in prisons are extremely harsh, and religious detainees have suffered as a result of inadequate food rations, lack of medical care, and cramped quarters.

There were several reports that authorities arrested or detained persons, often without charge, because they either held or attended unauthorized religious services. For example, in February 2002, a pastor was arrested in Vientiane province for conducting a religious service without authorization; the pastor was released after 1 month's detention following LFNC intervention. In January 2002, a senior church member was briefly detained in Vientiane province after speaking with foreign visitors. In March 2002, authorities in Savannakhet arrested and detained two LEC church pastors who were presiding at a funeral. The two were released after several weeks of detention, following the intervention of the LFNC. On June 9, 2002, officials in Somsaad village, Champhone district, detained 20 LEC church Christians who were attending a Sunday morning worship service in Savannakhet province. The detained were accused of holding an unauthorized meeting and taken to the district office; all 20 were released after several weeks' detention. On the same day, three LEC church leaders were arrested in Dongphoum village, Sayboul district, for conducting an unauthorized worship service. The three were being held

in the district jail, reportedly in manacles, at the end of the period covered by this report. In June 2002, four ethnic Yao were arrested in Luang Namtha province for holding an unauthorized prayer service; the four reportedly were manacled in their cells at the end of the period covered by this report. On June 22, 2002, in Kasi district of Vientiane province, two ethnic Khmu church leaders were arrested in the village of Phonsida for conducting an “unauthorized” prayer service at the home of a sick church member; both leaders were in detention at the Kasi district jail at the end of the period covered by this report.

There also were reports that persons were arrested and detained without trial for other religious activities. For example, in April 2002, 11 Christian citizens of the country were arrested in Bokeo province when they reentered the country from Thailand with religious material. All 11 were subsequently released after paying small fines for bringing in “illegal” religious material.

The following persons were arrested for religious activities and remained in detention without charge at the end of the period covered by this report: Phiasong in Phongsali province; Keung, Ae Noi, Sonkan, Khamphone, Khamdaeng, and Khamthong in Savannakhet province; Sia Chay, Lu Oon, Su Chia and Nay Siaw in Luang Namtha, and Khamsay and Avin in Vientiane.

The following persons were tried and convicted, and remained in detention at the end of the period covered by this report: Sisamouth Sirisouk, Boonmi Gindavong, and Peto Onchanh in Luang Prabang province; Nyoht and Thongchanh arrested in Oudomxai province.

In Houaphanh province, authorities continued to detain a former military officer (Khamtanh Pousy) who had converted to Christianity before his arrest. Although Khamtanh was charged with “anti-government activities,” some persons familiar with his case maintain that his arrest was due in part to his religious belief.

Unlike in the period covered by the previous report, there were no reports that authorities detained or deported foreigners for religious reasons.

Unlike in the period covered by the previous report, there were no reports that provincial authorities instructed their officials to monitor and arrest persons who professed belief in Islam or the Baha’i Faith.

Until late 2001, officials in some areas of Vientiane, Luang Prabang, and Savannakhet provinces continued to force LEC church Christians to sign renunciations of their faith under threat of arrest, denial of educational opportunity for their children, and restrictions on access to government services. Church officials reported that some detainees held for their religious beliefs were released only after they agreed to renounce their faith. Some civil servants were threatened with loss of their positions if they did not sign the renunciations. These attempts appear to have ceased by late 2001, and no reports of forced renunciations surfaced after December 2001. However, Hmong Christian communities in Vang Vieng district of Vientiane province did experience “strong pressure” from local authorities to renounce their religious faith. Nevertheless, the forced renunciation campaign of the past several years has led to the decimation of LEC church membership in some areas, and many churches in areas affected by the campaign have lost most of their congregations. Church leaders believe that many, if not most, of those who have renounced their faith did so as an expedient only, and will rejoin their former churches when conditions improve.

The overwhelming preponderance of arrests have been of religious leaders and the most active and visible proselytizers, not of practitioners. Despite the end of the formal renunciation campaign, local officials also continued to threaten with arrest congregations and believers. Although officials generally took no action, such threats have had a chilling effect on religious practice.

In November 2001, an unknown assailant shot and killed prominent LEC church pastor Thongla near his home in Sayaboury province and injured his daughter. In March 2002, authorities in Sayaboury province announced that they had arrested Thongla’s uncle as a suspect for the killing; however, the suspect subsequently was released for lack of evidence. By the end of the period covered by this report, the killing remained unsolved. Although police in Sayaboury claimed the killing likely was the result of a family dispute, many members of the religious community doubted this explanation and suspected that the killing was because of the pastor’s religious activities.

#### *Forced Religious Conversion*

The enhanced status given to Buddhism in Luang Prabang—famed for its centuries-old Buddhist tradition and numerous temples—apparently led some local officials there to act more harshly toward minority religions, particularly toward Christian and Baha’i groups, than in other areas of the country.

Forced renunciations of faith continued in a number of provinces during the period covered by the report, although there were no new reports of such renunciations after December 2001. In Vientiane, Savannakhet, and Luang Prabang provinces, local officials instructed Christians, especially those belonging to the Khmu ethnic minority, to renounce their Christian faith. There were no reports during the period covered by this report of forced renunciations involving profane rituals such as drinking of animal blood, as there had been in the previous reporting period.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

*Improvements and Positive Developments in Respect for Religious Freedom*

The Government's record of respect for religious freedom, particularly towards its Christian minorities, improved modestly during the period covered by this report. Incidents of arrests of religious leaders declined, and there were no reports of forced renunciations of faith after December 2001. In addition authorities allowed several churches that had been ordered closed in Vientiane, Savannakhet, and Luang Prabang provinces to reopen.

In general the Government appeared to have taken a more conciliatory approach to its religious minorities, and towards the LEC church in particular, and to adopt a policy of greater tolerance toward Christian groups. The LFNC took the lead in this effort; officials from the LFNC traveled to provinces that had experienced abuse of Christians in order to instruct local officials on the need to tolerate the activities of Christian congregations. The Vice President of the LFNC who oversees the religious issue personally visited several provinces as part of this effort. In addition the President of the LFNC spoke publicly on the need for tolerance toward Christians.

### SECTION III. SOCIETAL ATTITUDES

The various religious communities coexist amicably; society places importance on harmonious relations, and the dominant Buddhist faith generally is tolerant of other religious practices. Although there is no ecumenical movement, and there are no efforts to create greater mutual understanding, cultural mores generally instill respect for longstanding, well-known differences in belief.

However, inter-religious tensions arose on rare occasions within some minority ethnic groups, particularly in response to proselytizing or to disagreements over rights to village resources. Tensions also have arisen over the refusal of some members of minority religious groups to participate in Buddhist or animist religious ceremonies.

### SECTION IV. U.S. GOVERNMENT POLICY

The arrival of a new Ambassador in September 2001 allowed the U.S. Embassy to address the issue of religious freedom with government leaders at the most senior levels. The Ambassador spoke directly about the state of religious freedom in the country with the President, Party Secretary, Prime Minister, Vice President, both Deputy Prime Ministers, and the President of the LFNC, as well as with most Ministers. Other Embassy officers raised the issue of religious freedom at the working level with a range of central and provincial officials. The Embassy maintained an ongoing dialog with the Department of Religious Affairs in the LFNC, and as part of this dialog, the Embassy informed the LFNC of specific cases of arrest or harassment, and used this information to intercede with local officials.

Embassy representatives met with all of the major religious leaders in the country during the period covered by this report. Embassy officials actively have encouraged religious freedom despite an environment that is restricted by the government owned and government controlled media.

The Embassy supported and encouraged the January 2002 visit of the President of the Institute for Global Engagement (IGE), a U.S.-based NGO devoted to promoting religious freedom, to survey the status of religious freedom. During this visit, the IGE President traveled to the LEC church communities in northern Vientiane province, and the visit resulted in the reopening of several churches in the area that local authorities had closed. Following this visit, at the invitation of the IGE, a delegation from the LFNC traveled to the United States to discuss religious freedom with U.S. government officials, members of Congress, and others interested in the issue.

## MALAYSIA

The Constitution provides for freedom of religion; however, the Government places some restrictions on this right. Islam is the official religion; however, the practice of Islamic beliefs other than Sunni Islam is restricted significantly.

There was no change in the status of respect for religious freedom during the period covered by this report. Religious minorities generally worship freely although with some restrictions. The Government enforces some restrictions on the establishment of non-Muslim places of worship and on the activities of political opponents in mosques.

The generally amicable relationship among believers in various religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 127,000 square miles, and a population of just over 23 million. According to government census figures, in 2000 approximately 60.4 percent of the population were Muslim; 19.2 percent practiced Buddhism; 9.1 percent Christianity; 6.3 percent Hinduism; and 2.6 percent Confucianism, Taoism, and other traditional Chinese religions. The remaining percentages were accounted for by other faiths, including animism, Sikhism and the Baha'i Faith.

Non-Muslims are concentrated in East Malaysia, major urban centers, and other areas.

In April 2002, the Human Rights Commission (Suhakam) initiated an interfaith dialog aimed at promoting better understanding and respect among the country's different religious groups. Participants included representatives from the Malaysian Islamic Development Department, the Malaysian Ulama Association, and the Malaysian Consultative Council of Buddhism, Christianity, Hinduism and Sikhism (MCCBCHS).

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion; however, Islam is the official religion, and the practice of Islamic beliefs other than Sunni Islam is restricted significantly. In September 2001, the Prime Minister declared that the country was an Islamic state (negara Islam). Religious minorities include Buddhist, Christian, Hindu, and Sikh communities. Government funds support an Islamic religious establishment (the Government also grants limited funds to non-Islamic religious communities), and it is official policy to "infuse Islamic values" into the administration of the country. The Government imposes Islamic religious law on Muslims only in some matters and does not impose Islamic law beyond the Muslim community. Adherence to Islam is considered intrinsic to Malay ethnic identity, and therefore Islamic religious laws bind ethnic Malays.

The Registrar of Societies, under the Ministry of Home Affairs, registers religious organizations. Registration enables organizations to receive government grants and other benefits.

In May 2001, the Government decided not to approve the Falun Gong Preparatory Committee's application to register as a legal organization. However, the Government has not prevented Falun Gong members from carrying out their activities in public.

For Muslim children, religious education according to a government-approved curriculum is compulsory in public schools. There are no restrictions on home instruction.

Several religious holidays are recognized as official holidays, including Hari Raya Puasa (Muslim), Hari Raya Qurban (Muslim), the Prophet's birthday (Muslim), Wesak Day (Buddhist), Deepavali (Hindu), Christmas (Christian), and, in Sabah and Sarawak, Good Friday (Christian).

During the 1999 controversy over the proposed new guidelines on non-Muslim places of worship (see Section II), the MCCBCHS and the Federal Territory Counseling and Service Center separately urged the Prime Minister to create a national "inter-religious" council; however, no such council had been created by the end of the period covered by this report.

*Restrictions on Religious Freedom*

Muslims who wish to convert from Islam face severe obstacles. For Muslims, particularly ethnic Malays, the right to leave the Islamic faith and adhere to another religion is a controversial question, and in practice it is very difficult for Muslims to change religions. The legal process of conversion is unclear; in practice it is very difficult for Muslims to change their religion legally. In 1999 the High Court ruled that secular courts have no jurisdiction to hear applications by Muslims to change religions. According to the ruling, the religious conversion of Muslims lies solely within the jurisdiction of Islamic courts. In April 2001, a High Court judge rejected the application of a Malay woman who argued that she had converted to Christianity, and requested that the term "Islam" be removed from her identity card. The judge ruled that an ethnic Malay is defined by the federal Constitution as "a person who professes the religion of Islam." The judge also reaffirmed the 1999 High Court ruling and stated that only an Islamic court has jurisdiction to rule on the woman's supposed renunciation of Islam and conversion to Christianity. The ruling makes conversion of Muslims nearly impossible in practice.

The issue of Muslim apostasy is very sensitive. In 1998 after a controversial incident of attempted conversion, the Government stated that apostates (i.e., Muslims who wish to leave or have left Islam for another religion) would not face government punishment so long as they did not defame Islam after their conversion. The Government opposes what it considers deviant interpretations of Islam, maintaining that the "deviant" groups' extreme views endanger national security. In the past, the Government imposed restrictions on certain Islamic groups, primarily the small number of Shi'a. The Government continues to monitor the activities of the Shi'a minority.

In April 2000, the state of Perlis passed a Shari'a law subjecting Islamic "deviants" and apostates to 1 year of "rehabilitation" (under the Constitution, religion, including Shari'a law, is a state government matter). Leaders of the opposition Islamic Party have stated that the penalty for apostasy should be death.

After the November 1999 national elections, the Government significantly expanded efforts to restrict the activities of the Islamic opposition party at mosques. Several states announced measures including banning opposition-affiliated imams from speaking at mosques, more vigorously enforcing existing restrictions on the content of sermons, replacing mosque leaders and governing committees thought to be sympathetic to the opposition, and threatening to close down unauthorized mosques with ties to the opposition. The Government justified such measures as necessary to oppose the "politicization of religion" by the opposition. Throughout 2001 government officials and ruling party politicians claimed that opposition Islamic party members were giving political sermons in mosques around the country.

In June 2000, the Government announced that all Muslim civil servants must attend religious classes, but only Islamic classes are conducted. In addition, only teachers approved by the Government are employed.

Proselytizing of Muslims by members of other religions is prohibited strictly, although proselytizing of non-Muslims faces no obstacles. The Government discourages—and in practical terms forbids—the circulation in peninsular Malaysia of Malay-language translations of the Bible and distribution of Christian tapes and printed materials in Malay. However, Malay-language Christian materials are available. Some states have laws that prohibit the use of Malay-language religious terms by Christians, but the authorities do not enforce them actively. The distribution of Malay-language Christian materials faces few restrictions in East Malaysia.

In recent years, visas for foreign clergy no longer are restricted, and most visas were approved during the period covered by this report. Beginning in March 2000, representative non-Muslims were invited to sit on the immigration committee that approves such visa requests. Some non-Islamic groups complained that Christian proselytizing campaigns sometimes were conducted in unethical ways and tended to result in heightened religious animosity within the communities in which the ministers worked.

The Government generally restricts remarks or publications that might incite racial or religious disharmony. This includes some statements and publications critical of particular religions, especially Islam. The Government also restricts the content of sermons at mosques. Some state governments ban certain Muslim clergymen from delivering sermons.

The Government generally respects non-Muslims' right of worship; however, state governments carefully control the building of non-Muslim places of worship and the allocation of land for non-Muslim cemeteries. Approvals for such permits sometimes are granted very slowly. After a violent conflict in Penang between Hindus and Muslims in March 1998, the Government announced a nationwide review of unlicensed Hindu temples and shrines. However, implementation was not vigorous, and

the program was not a subject of public debate during the period covered by this report.

In July 1999, the MCCBCHS, a nongovernmental organization representing minority religions, protested the planned implementation of Ministry of Housing and Local Government guidelines governing new non-Muslim places of worship. The MCCBCHS specifically complained that the guidelines required an area to have at least 2,000 adherents of a particular non-Muslim faith for a new non-Muslim place of worship to be approved (no such requirement exists for Muslim places of worship). In August 2000, these minimum population guidelines were relaxed somewhat. In addition, after years of complaints by non-Islamic religious organizations about the need for the State Islamic Council in each state to approve construction of non-Islamic religious institutions, the Minister of Housing and Local Government announced that such approval no longer would be required. However, it is not known whether this change always is reflected in state policies and local decisions. For example, in Shah Alam, for several years the Selangor state authorities have blocked the construction of a Catholic Church.

In family and religious matters, all Muslims are subject to Shari'a law. According to some women's rights activists, women are subject to discriminatory interpretations of Shari'a law and inconsistent application of the law from state to state.

In February 2002, the pro-opposition Council of Ulamas submitted a memorandum to the Conference of Rulers urging action against six academics who it alleged had belittled the Prophet and humiliated Islam in their writings. The Council of Rulers referred the memorandum to the National Council on Islamic Religious Affairs. No action had been taken at the end of the period covered by this report.

State governments in Kelantan and Terrengganu, which are controlled by the Islamic opposition party, made efforts to restrict Muslim women's dress in 2000. In Kelantan, a total of 120 Muslim women were fined between January and May 2002 for not adhering to the dress code. The Terrengganu state government introduced a dress code in 2000 for government employees and workers on business premises. Terrengganu's executive counselor in charge of women's and non-Muslim's affairs claimed that the dress code was designed to protect the image of Muslim women and to promote Islam as a way of life. One Muslim women's NGO criticized the new requirement, stating that forced compliance with a state mandated dress code is not consistent with the values of the Koran, although the law is not known to have been enforced. According to an unconfirmed report, Muslim women previously had been fined in Kelantan for not wearing a head covering.

#### *Abuses of Religious Freedom*

The Government continues to monitor the activities of the Shi'a minority, and the Government periodically detained members of what it considers Islamic "deviant sects" without trial or charge under the Internal Security Act (ISA) during the period covered by this report.

In November 2000, the Shari'a High Court in the state of Kelantan, which is controlled by the Islamic opposition party, sentenced four persons to 3 years in prison for disregarding a lower court order to recant their alleged heretical beliefs and "return to the true teachings of Islam." The High Court rejected their argument that Shari'a law has no jurisdiction over them because they had ceased to be Muslims.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The country's various religious believers generally live amicably.

The Government has a comprehensive system of preferences in the administration of housing, education, business, and other areas for Bumiputras (the country's indigenous people), ethnic Malay Muslims, and a few other groups that practice various religions.

Ecumenical and interfaith organizations of the non-Muslim religions exist and include the Malaysian Consultative Council of Buddhism, Christianity, Hinduism, and Sikhism, the Malaysian Council of Churches, and the Christian Federation of Malaysia. Muslim organizations generally do not participate in ecumenical bodies.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy rep-

representatives met and maintained an active dialog with leaders and representatives of various religious groups.

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## MARSHALL ISLANDS

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country's total area is approximately 67 square miles, and the estimated population in 2002 was 56,630. Major religious groups include the United Church of Christ (formerly Congregational), with 54.8 percent of the population; the Assembly of God, with 25.8 percent; and the Roman Catholic Church, with 8.4 percent. Also represented are Bukot Nan Jesus (also known as Assembly of God Part Two), with 2.8 percent; the Church of Jesus Christ of Latter-Day Saints (Mormons), with 2.1 percent; Seventh-Day Adventists with 0.9 percent; Full Gospel, with 0.7 percent; and the Baha'i Faith, with 0.6 percent. Persons without any religious affiliation account for 1.5 percent of the population, and another 1.4 percent belong to religions or religious groups not named in the 1999 census, but which local religious leaders believe to consist of Muslims, Jehovah's Witnesses, and the Salvation Army.

There are foreign missionaries from the Church of Jesus Christ of Latter-Day Saints, the Roman Catholic Church, Seventh-Day Adventists, the Baptist Church, and other groups. Only Mormons and Jehovah's Witnesses proselytize through door-to-door home visits. Religious schools are operated by the Catholic Church, the United Church of Christ, the Assembly of God, the Seventh-Day Adventist Church, and the Baptist Church.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion. Missionary groups are allowed to operate freely.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Although Christianity is a dominant social and cultural force, there are amicable relations between the country's religious denominations. Nonbelievers, who constitute a very small percentage of the residents, do not suffer discrimination. Typically governmental and social functions begin and end with an interdenominational Christian prayer delivered by an ordained minister, cleric, or church official.

Under President Amata Kabua during the early 1990's, the Government mandated the establishment of a national council of churches, which representatives of all faiths were invited to join. This group still exists in name, but largely has been inactive.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**FEDERATED STATES OF MICRONESIA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country's total area is approximately 260 square miles, and its population is approximately 107,000. Most Protestant denominations as well as the Roman Catholic Church are present on the four major islands of the country. The most prevalent Protestant denomination is the United Church of Christ. Baptists, Seventh Day Adventists, members of the Church of Jesus Christ of Latter-Day Saints (Mormons), and adherents of the Baha'i Faith also are represented. On the island of Kosrae, 99 percent of the population are members of the United Church of Christ; on Pohnpei approximately 50 percent of the population are Protestant and 50 percent are Catholic; on Chuuk and Yap, approximately 60 percent are Catholic and 40 percent are Protestant. There is a small group of Buddhists on Pohnpei.

Most immigrants are Filipino Catholics, who join local Catholic churches.

On the island of Pohnpei, clan divisions mark religious boundaries in some measure. More Protestants live on the Western side of the island, while more Catholics live on the Eastern side.

Missionaries of many faiths work within the country, including Seventh-Day Adventists and Mormons.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Bill of Rights forbids establishment of a state religion and governmental restrictions on freedom of religion. There is no state religion.

Foreign missionary groups operate without hindrance on all four islands.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relations among religions in society contributed to religious freedom.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the government in the context of its overall dialog and policy of promoting human rights. Representa-

tives of the Embassy regularly meet with the leaders of religious communities in the country.

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## MONGOLIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the law limits proselytizing, and some groups that seek to register face bureaucratic harassment.

There was no change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 580,000 square miles, and its population is approximately 2.4 million. Buddhism and the country's traditions are tied closely, and it appears likely that almost all ethnic Mongolians (93 percent of the population) practice some form of Buddhism. Lamaist Buddhism of the Tibetan variety is the traditional and dominant religion.

Since the end of Socialist controls on religion and the country's traditions in 1990, active interest in Buddhism and its practice have grown. The Buddhist community is not completely homogeneous, and there are several competing schools, including a small group that believes that the sutras (books containing religious teachings) should be in the Mongolian language and that all members of the religious clergy should be citizens.

Kazakhs, most of whom are Muslim, are the largest of the ethnic minorities, constituting approximately 4 percent of the population nationwide and 85 percent of the population of the western province, Bayan-Olgii. Kazakhs operate Islamic schools for their children. They sometimes receive financial assistance from religious organizations in Kazakhstan and Turkey. The Kazakhs' status as the majority ethnic group in Bayan-Olgii was established in the former Socialist period and continues in much the same circumstances.

There is a small number of Christians in the country, including Roman Catholics, Russian Orthodox, and members of some Protestant denominations. There are no nationwide statistics on the number of Christians in the country. The number of citizens who practice Christianity in the capital, Ulaanbaatar, is approximately 24,000, or 0.3 percent of the registered population of the city.

Some citizens practice shamanism, but there are no reliable statistics on their numbers.

Foreign missionary groups include Roman Catholics, Lutherans, Presbyterians, various evangelical Protestant groups, the Church of Jesus Christ of Latter-Day Saints (Mormons), Jehovah's Witnesses, Seventh-Day Adventists, and adherents of the Baha'i Faith.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the law limits proselytizing, and some groups that seek to register face bureaucratic harassment. The Constitution explicitly recognizes the separation of church and state, and the law regulating the relationship between church and state was passed in 1993 and amended in 1995.

Although there is no state religion, traditionalists believe that Buddhism is the "natural religion" of the country. The Government has contributed to the restoration of several Buddhist sites that are important religious, historical, and cultural centers. The Government does not subsidize the Buddhist religion otherwise.

Religious groups must register with the Ministry of Justice and Home Affairs. While the Ministry is responsible for registrations, local assemblies have the authority to approve applications at the local level.

Under the law, the Government may supervise and limit the number of places of worship and clergy for organized religions; however, there were no reports that the Government did so during the period covered by this report. The registration process is decentralized with several layers of bureaucracy, in which officials sometimes

demand payments in exchange for authorization. In addition registration in the capital may not be sufficient if a group intends to work in the countryside where local registration also is necessary. Some groups encountered harassment during the registration process, including demands by mid-level city officials for financial contributions in return for securing legal status. When registration was completed, the same authorities threatened some religious groups with withdrawal of approval. In general it appears that difficulties in registering primarily are the consequence of bureaucratic action by local officials and attempts to extort financial assistance for projects not funded by the city. Of the approximately 260 temples and churches founded since 1990, approximately 150 are registered, including 90 Buddhist, 40 Christian, and 4 Baha'i. There also is one Muslim mosque. Two new Christian churches were registered in Ulaanbaatar in 2002. Contacts with coreligionists outside the country are allowed.

Religious instruction is not permitted in public schools. There is a school to train Buddhist lamas in Ulaanbaatar.

#### *Restrictions on Religious Freedom*

While the law does not prohibit proselytizing, it limits it by forbidding the use of incentives, pressure, or deceptive methods to introduce religion. With the opening of the country following the 1990 democratic changes, religious groups began to arrive to provide humanitarian assistance and open new churches, which resulted in some friction between missionary groups and some citizens. Proselytizing by registered religious groups is allowed, although a Ministry of Education directive bans mixing foreign language or other training with religious teaching or instruction. The Government enforced this law, particularly in the capital area. Churches that violate the law may not receive an extension of their registration. If individuals violate the law, the Government may ask their employers to terminate their employment.

Some missionary groups were still in the process of registering with the Ministry of Justice and Home Affairs during the period covered by this report. The process is protracted for some groups, but others are registered quickly.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Citizens generally are tolerant of the beliefs of others, and there were no reports of religiously motivated violence; however, there has been some friction between missionary groups and citizens because in the past, humanitarian assistance was accompanied by proselytizing activity. Some conservatives have criticized foreign influences on youth and children, including foreign religions and the use of incentives to attract believers.

There are no significant ecumenical movements or interfaith dialog.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. embassy officials have discussed with mid-level bureaucrats specific registration difficulties encountered by Christian churches. These discussions focused attention on U.S. concern for religious freedom and opposition to corruption; the discussions resulted in a clarification of the requirements for registration.

The U.S. Embassy maintains regular contact with Buddhist leaders, as well as with leaders and clergy of Muslim, Protestant, Catholic, and Mormon religious groups. In addition the Embassy has met with representatives of U.S.-based religious and humanitarian organizations. The Embassy also maintains contact with the staff of the local office of the U.N. High Commissioner for Human Rights and the U.N. Development Program to discuss human rights and religious freedom.

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## NAURU

The Constitution provides for freedom of religion; however, the Government restricts this right in some circumstances.

Respect for religious freedom deteriorated somewhat during the period covered by this report. In May 2002, an immigration official confiscated the passports of visiting officials of the Church of Jesus Christ of Latter-Day Saints (Mormons) and told the officials that they would have to speak to the police about their activities in the country. Intervention of a senior immigration official was required in both this and a similar incident in 2001 before the passports were returned and the officials were allowed to leave the country. The Government also placed some restrictions on the practice of religion by Mormons and members of Jehovah's Witnesses, most of whom are foreign workers employed by the government-owned Nauru Phosphate Corporation (NPC).

There were no indications of general societal discrimination against particular religious denominations; however, economic problems resulting from declining income in the country's important phosphate mining industry have led to some social strains, and there has been resistance by some elements of the Nauru Protestant Church (the country's dominant religion) to religions perceived as foreign, in particular to the Church of Jesus Christ of Latter-Day Saints and Jehovah's Witnesses.

The U.S. Government discusses religious freedom issues, including restrictions on religious freedom, with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 10 square miles, and its population is approximately 10,000. Christianity is the primary religion. Approximately two-thirds of Christians are Protestants, and the remaining one-third are Roman Catholics. The population as a whole is 58 percent Nauruan, 26 percent other Pacific Islanders, 8 percent European, and 8 percent Chinese. Some of the latter group may be Buddhist or Taoist.

Foreign missionaries introduced Christianity in the late 19th and early 20th centuries. There are a few active Christian missionary organizations, including representatives of the Anglican, Methodist, and Catholic faiths.

Many foreign workers in the country's phosphate industry practice faiths different from those of native-born citizens. Both the Church of Jesus Christ of Latter-Day Saints and Jehovah's Witnesses have won converts among such workers, some of whom hold religious services in their Nauru Phosphate Corporation (NPC) owned housing. Practitioners of "foreign" religions thus are concentrated in the area used by the NPC for workers' housing, known as Location.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion; however, the Government restricts this right in some circumstances. Under the Constitution, the rights to freedom of conscience, expression, assembly and association may be contravened by any law that "makes provision which is reasonably required . . . in the interests of defense, public safety, public order, public morality or public health." The Government has cited this provision as a basis for preventing foreign churches from proselytizing native-born citizens.

There is no state religion; however, Nauru Protestant Church officials and congregants hold influential positions in both the Government and the Nauru Phosphate Corporation.

Officials of Jehovah's Witnesses and the Church of Jesus Christ of Latter-Day Saints have been informed that, under the provisions of the Birth, Death and Marriage Ordinance, their churches must register with the Government in order to operate in an official capacity (i.e., to build churches, hold church services in the multinational facility owned by the NPC, and otherwise practice freely their religion). The legal counsel for the Church of Jesus Christ of Latter-Day Saints has asserted that, while the ordinance in question permits the Government to recognize a religious denomination, it only requires such recognition if a denomination's ministers wish to solemnize marriages. The Church reported that it submitted a registration request in 1999; however, the Government did not respond either to the original request or to follow-up inquiries. As of June 30, 2002, officials of Jehovah's Witnesses had not submitted a request for such registration.

Christmas and Easter are official holidays.

The Government has not taken specific actions to improve inter-religious relations.

*Restrictions on Religious Freedom*

The Government has prevented officials of both Jehovah's Witnesses and the Church of Jesus Christ of Latter-Day Saints from visiting the country in their official capacity and on occasion has prevented them from visiting the country at all. While in the country, these officials have been prevented from practicing openly their religion, and have been discouraged from making contacts with native-born citizens. The Government has cited, as a justification for such restrictions, concern that outside churches might break up families through their proselytizing activity.

On two occasions, the Government detained visiting Mormon officials and confiscated their passports and airline tickets. On the first occasion, in January 2001, an immigration officer informed the church officials as they were attempting to leave the country that they were in violation of the requirement that a citizen sponsor their visit, and that their passports were being taken for photocopying. However, on the second occasion, in May 2002, no such explanation was given; in that instance, church officials had obtained the required sponsorship and visas. Intervention of a senior immigration official was required in both instances before the passports were returned and the officials were allowed to leave the country.

There is a multi-denominational religious facility for foreign phosphate workers in the area known as Location; however, Mormons and members of Jehovah's Witnesses are not permitted to use this facility for religious services or meetings. Members of both of these religious groups, who are drawn largely from the Filipino, Tuvalan, and I-Kiribati communities, also have been threatened with revocation of their work visas if they hold religious services in their NPC-owned living quarters.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

No evidence exists of general societal discrimination against specific religious denominations; however, economic problems resulting from sharply declining income from the country's phosphate mining industry have led to some social strains, and there has been resistance by some elements of the Nauru Protestant Church to religions perceived as foreign, in particular to the Mormons and members of Jehovah's Witnesses.

## SECTION IV. U.S. GOVERNMENT POLICY

Although the U.S. Government does not maintain a resident embassy in the country, the U.S. Ambassador to Fiji also is accredited to the Government of Nauru. Representatives of the U.S. Embassy in Suva, Fiji have discussed religious freedom issues, including restrictions on religious freedom, with representatives of the Government of Nauru in Suva.

The Embassy actively supports efforts to improve and expand governmental and societal awareness of and protection for human rights, including the right to freedom of religion.

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**NEW ZEALAND**

The law provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country is an island nation with a total area of approximately 99,000 square miles, and its population is approximately 3.8 million. The religious composition of the country is predominantly Christian but continues to become more diverse. Ac-

ording to the 2001 census, approximately 55 percent of citizens identified themselves as Christian or as affiliated members of individual Christian denominations. Three major Christian denominations—the Anglican, Presbyterian, and Methodist churches—continued to experience a decline in membership between 1996 and 2001, while the Roman Catholic Church showed a slight increase. Anglicans remain the largest Christian denomination, with 15 percent of the population in 2001. The Maori Christian churches, including Ratana and Ringatu, experienced significant growth rates; Ratana grew by 34 percent and Ringatu grew by 84 percent between 1996 and 2001. After experiencing growth of 55 percent between 1991 and 1996, the number of Pentecostals declined by approximately 19 percent between 1996 and 2001, to less than 1 percent of the population. During the same period, non-Christian religions continued to show strong growth rates, driven primarily by immigration. From a low base, the number of Sikhs increased by 538 percent, and the Rastafarians increased by 122 percent. Other non-Christian groups increased as well: Taoists by 97 percent, Muslims by 73 percent, Hindus by 53 percent, and Buddhists by 47 percent. Hindus and Buddhists each now each account for approximately 1 percent of the population; other non-Christian religions each account for less than 1 percent. More than 38 percent of the population either claimed no religious affiliation (26.76 percent), objected to answering questions about religious affiliation (6.23 percent), or declined to state a religious affiliation (5.51 percent).

According to 2001 census data, the following were the numbers and percentages of the population's religious affiliation: No religion—1,028,052 (26.76 percent); Anglican—584,793 (15.22 percent); Roman Catholic—486,015 (12.65 percent); Presbyterian—417,453 (10.87 percent); objected to answering the question—239,241 (6.23 percent); did not state affiliation—211,638 (5.51 percent); Christian (no more specific identification)—192,165 (5 percent); Methodist—117,415 (3.06 percent); Baptist—50,598 (1.32 percent); Ratana (a Maori/Christian group with services in the Maori language)48,975 (1.27 percent); Buddhist—41,535 (1.08 percent); Church of Jesus Christ of Latter-Day Saints (Mormons)39,915 (1.04 percent); and Hindu—38,769 (1.01 percent). In addition there were more than 90 religious groups represented that each constituted less than 1 percent of the population. The indigenous Maori (approximately 15 percent of the population) tend to be followers of Presbyterianism, the Church of Jesus Christ of Latter-Day Saints (Mormons), or Maori Christian faiths such as Ratana and Ringatu. Maori Christian faiths integrate Christian tenets with precolonial Maori beliefs.

The Auckland statistical area (which accounts for roughly 30 percent of the country's total population) exhibits the greatest religious diversity. Farther south on the North Island, and on the South Island, the percentage of citizens who identified themselves with Christian faiths increased while those affiliated with non-Christian religions decreased.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The law provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right and does not tolerate its abuse, either by governmental or private actors.

The Education Act of 1964 specifies in its "secular clause" that teaching within public primary schools "shall be entirely of a secular character;" however, it also permits religious instruction and observances in state primary schools within certain parameters. If the school committee in consultation with the principal or head teacher so determines, any class may be closed at any time of the school day within specified limits for the purposes of religious instruction given by voluntary instructors. However, attendance at religious instruction or observances is not compulsory. According to the Legal Division of the Ministry of Education, public secondary schools also may permit religious instruction at the discretion of their individual school boards. The Ministry of Education does not keep centralized data on how many individual primary or secondary schools permit religious instruction or observances; however, a curriculum division spokesperson maintains that in practice religious instruction, if it occurs at a particular school, usually is scheduled after normal school hours.

Under the Private Schools Conditional Integration Act of 1975, the Government, in response to a burgeoning general primary school role and financial difficulties experienced by a large group of Catholic parochial schools, permitted the incorporation of private schools into the public school system. Designated as "integrated schools," they were deemed to be of a "unique character" and permitted to receive public funding provided that they allowed space for non preference students (students who do not fit within the "unique character" of the school; for example, non-Catholic stu-

dents who attend a Catholic school). A total of 303 of the 2,784 primary schools are integrated schools with this designation. More than 250 of these 303 schools are Catholic; there are a handful of non-Christian or non-religious schools, such as Islamic, Hare Krishna, or Rudolph Steiner—a school of spiritual philosophy. Students cannot be required to attend an integrated school; admission to integrated schools is based on the student's request.

Christmas Day, Good Friday and Easter are official holidays.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion; however, some businesses are fined if they attempt to operate on the official holidays of Christmas Day, Good Friday, and Easter Sunday. The small but growing non-Christian communities have called for the Government to take into account the increasingly diverse religious makeup regarding holiday flexibility. In response the Government acted to remove some constraints on trade associated with the Christian faith. In 2001 the Government enacted new legislation that permits several types of businesses to remain open on Good Friday and Easter Sunday. However, many other businesses still are fined if they attempt to operate on these Christian holidays.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Amicable relations exist among the various religious communities in society. Incidents of religiously motivated violence are extremely rare. Due to the infrequency of their occurrence and difficulties in clearly establishing such motivations, the police do not attempt to maintain data on crimes that may have been motivated by religion.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

The U.S. Mission regularly includes representatives from a wide range of religious faiths at its sponsored events. In October 2001, the Embassy sponsored a video conference on "Islam: An American Perspective," in which an expert on the Middle East exchanged views with religious leaders and with representatives of Parliament, the Ministry of Foreign Affairs, the New Zealand Defense Force, the media, local universities, and the New Zealand Institute of International Relations. In late September 2001, the U.S. Consulate in Auckland invited leaders of various faiths to participate in an event honoring the victims of the September 11, 2001 attacks.

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## PALAU

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

An archipelago of more than 300 islands in the Western Pacific Ocean, the country has a total land area of 188 square miles and a population of approximately 19,000 persons; 70 percent live in the temporary capital, Koror. There are 19 Christian denominations. The Roman Catholic Church is the dominant religion, and approximately 65 percent of the population are members. Other religions with a sizable membership include the Evangelical Church (approximately 2,000 members),

the Seventh-Day Adventists (approximately 1,000 members), the Church of Jesus Christ of Latter-Day Saints (Mormons) (approximately 300 members), and Jehovah's Witnesses (approximately 70 members). Modekngai, which embraces both pagan and Christian beliefs and is unique to the country, has about 800 adherents. There also is a small group of Bangladeshi Muslims in the country who practice their faith actively. The primarily Catholic Filipino labor force (approximately 3,700 persons) practice their faith actively. A large percentage of citizens do not practice their faith actively.

Since the arrival of Jesuit priests in the early 19th century, foreign missionaries have been active in the country. Some missionaries have been in the country for years and speak the language fluently. A number of groups, including the Baha'i Faith, the Roman Catholic Church, the Chinese Agriculture Mission, the Church of Jesus Christ of Latter-Day Saints, the Evangelical Church, the High Adventure Ministries, the Iglesia ni Cristo, Jehovah's Witnesses, the Korean Church, the Korea Presbyterian Church, the Pacific Missionary Aviation, the Palau Assembly of God, and the Seventh-Day Adventists, have missionaries in the country on proselytizing or teaching assignments. The SeventhDay Adventist and the Evangelical churches have missionaries teaching in their respective elementary and high schools.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

The Government does not promote or restrain religious activities; however, the Government regulates the establishment of religious organizations by requiring them to obtain charters as nonprofit organizations from the Office of the Attorney General. This registration process is not protracted, and the Government did not deny registration to any group during the period covered by this report. As nonprofit organizations, these churches and missions are tax exempt.

Foreign missionaries are required to obtain a missionary permit at the office of immigration; however, there were no reports that the Government denied these permits to any group during the period covered by this report.

The Government does not require or permit religious instruction in public schools. There is government financial support for religious schools; representatives of any religion may request financial support from the Government to establish a school. The Government also provides small scale financial assistance to cultural organizations.

The Government recognizes Christmas as a national holiday. There is active participation by the majority of the country's religious groups in Easter and Christmas services. Even though the Government does not sponsor religious groups or promote religious activities, official ceremonies—national or state level, public and private graduations, etc.—always are conducted with a prayer to open and close the ceremonies.

### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion. However, employers have complained to the Division of Labor under the Ministry of Commerce and Trade that the religious practices of Bangladeshi Muslims interfere both with activity in the workplace and with the living arrangements of the employing families. In response in 1998 the Ministry decided to deny work permits to Bangladeshi workers in the future. In July 2001, the Ministry extended this policy to Indians and Sri Lankans. The ban on issuance of new work permits extends to all citizens of the three countries concerned, regardless of religion. Workers from these countries present in the country at the time of the decision were not expelled, and there are no impediments on their practice of religion.

There were no reports of religious prisoners or detainees.

### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The various religious organizations are cordial and civil with each other, and the generally amicable relationship among religions in society contributed to religious freedom.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy officials also maintain regular contacts with the various religious communities in the country.

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**PAPUA NEW GUINEA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country is an island nation with a total area of 280,773 square miles, and its population is approximately 5.1 million. According to the 2000 census, the churches with the largest number of members are the Roman Catholic Church, the Evangelical Lutheran Church, the United Church, and the Seventh-Day Adventists. At that time, 96 percent of citizens identified themselves as members of a Christian church. Minority religions include the Baha'i Faith and Islam; there reportedly are approximately 15,000 Baha'is and 1,000 to 2,000 Muslims in the country. Many citizens combine their Christian faith with some pre-Christian traditional indigenous practices.

The mainstream churches proselytized on the island of New Guinea in the 19th century. Colonial governments initially assigned different missions to different geographic areas. Since territory in the country is aligned strongly with language group and ethnicity, this colonial policy led to the identification of certain churches with certain ethnic groups. However, churches of all denominations now are found in all parts of the country. The Muslim community has a mosque in the capital of Port Moresby.

Non mainstream Christian churches and non-Christian religious groups are active throughout the country. According to the Papua New Guinea Council of Churches, both Muslim and Confucian missionaries have become active, and foreign missionary activity in general is high. The Pentecostal Church in particular has found converts within the congregations of the more established churches, and nearly every conceivable movement and faith that proselytizes has representatives in the country. The Summer Institute of Linguistics is an important missionary institution; it translates the New Testament into native languages.

The Roman Catholic Church is the only mainstream church that still relies to a large extent on foreign clergy.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Constitution's provisions for freedom of conscience, thought, and religion consistently have been interpreted to mean that any religion may be practiced or propagated as long as it does not interfere with the freedom of others. The predominance of Christianity is recognized in the preamble of the Constitution, which refers to "our noble traditions and the Christian principles that are ours." During the period

covered by this report, government officials, including the Governor-General and the Prime Minister, attended rallies held by visiting Christian evangelists.

In general the Government does not subsidize the practice of religion. The Department of Family and Church Affairs has a nominal policymaking role that largely has been confined to reiterating the Government's respect for church autonomy.

Most of the country's schools and many of its health services were built and continue to be run by the churches, and the Government provides support for those institutions. At independence the Government recognized that it had neither the funds nor the personnel with which to take over these institutions and agreed to subsidize their operations on a per pupil or per patient basis. The Government also pays the salaries of national teachers and health staff. Although the education and health infrastructures continue to rely heavily on church-run institutions, some schools and clinics have closed periodically because they did not receive the promised government support. These problems are due in part to endemic financial management problems in the Government.

Immigrants and noncitizens are free to practice their religion, and foreign missionary groups are permitted to proselytize and engage in other missionary activities.

It is the policy of the Department of Education to set aside 1 hour per week for religious instruction in the public schools. Church representatives teach the lessons, and the students attend the class that is operated by the church of their parents' choice. Children whose parents do not wish them to attend the classes are excused.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

As new missionary movements proliferate, representatives of some established churches and some individuals have questioned publicly whether such activity is desirable. Some persons have proposed legislation to limit such activity. However, the courts and government practice have upheld the constitutional right to freedom of speech, thought, and belief, and no legislation to curb those rights has been adopted. For example, when the Muslim community applied to the Land Board for permission to acquire property on which to build a mosque, some churches objected, citing the country's historical character as a Christian country. Nevertheless permission to acquire the land was granted. After the mosque was built, the press continued to report on the public debate over whether Islam was a threat to the country. Most denominations, including the Catholic Bishops Conference, supported the establishment of the mosque. During the fall of 2001, the public debate on Islam reopened; however, following public statements of support from the Catholic Church and other religious authorities emphasizing tolerance, the issue again was resolved in favor of continuing to allow Muslims to practice their religion freely.

The Council of Churches makes the only known effort at interfaith dialog. The Council members consist of the Anglican, Gutnius and Union Baptist, Catholic, Lutheran, and United churches, and the Salvation Army. In addition 15 parareligious organizations, including the Young Women's Christian Association, participate in its activities; however, the self-financing Council only has Christian affiliates. The ecumenical work of the Council of Churches is confined primarily to cooperation among churches on social welfare projects.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Ambassador continued discussions with the Council of Churches and individual church leaders throughout the period covered by this report. The Ambassador and the Em-

bassy's consular officer meet regularly with U.S. citizen missionaries of all denominations.

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## PHILIPPINES

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report. Adherents of all faiths are free to exercise their religious beliefs in all parts of the country without government interference or restriction; however, socioeconomic disparity between the Christian majority and the Muslim minority has contributed to persistent conflict in certain provinces. The principal remaining armed insurgent Muslim group continued to seek greater autonomy or an independent Islamic state. In August 2001, the Government reached agreement with this group to implement a cease-fire. In May 2002, the Government and this group signed an agreement outlining the implementing guidelines on the humanitarian, rehabilitation, and development aspects of the peace process. Militant Muslim splinter groups have engaged in terrorism. Moderate Muslim leaders strongly criticized these tactics.

There is some ethnic and cultural discrimination against Muslims by Christians. This has led some Muslims to seek successfully a degree of political autonomy for Muslims in the southwestern part of the country.

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 118,000 square miles, and its population is approximately 76.4 million. Over 85 percent of citizens of this former Spanish colony claim membership in the Roman Catholic Church, according to the most recent available official census data on religious preference (1990). The results of the data on religious preference from the 2000 census were not yet available at the end of the period covered by this report. Other Christian denominations together comprise approximately 8.7 percent of the population. Muslims totaled 4.6 percent of the population and Buddhists 0.1 percent. Indigenous and other religious traditions accounted for 1.2 percent of those surveyed. Atheists and persons who did not designate a religious preference accounted for 0.3 percent of the population.

Some academic experts question the accuracy of the statistical sampling in the 1990 census. Some Muslim scholars argue that census takers seriously undercounted the number of Muslims because of security concerns in western Mindanao, where Muslims still are a majority, that often prevented them from conducting accurate counts outside urban areas. Current estimates place the number of Muslims at 5 million, or approximately 7 percent of the population. Muslims reside principally in Mindanao and nearby islands and are the largest single minority religious group in the country.

There is no available data on "nominal" members of religious organizations. Estimates of nominal members of the largest group, Roman Catholics, range from 60 to 65 percent of the total population. These estimates are based on regular church attendance. El Shaddai, a charismatic lay movement affiliated with the Roman Catholic Church, has grown rapidly in the last decade; it claims approximately 5 million active members within the country and an additional 300,000 members in other countries.

Most Muslims belong to the Sunni branch of Islam. There is a very small number of Shi'a believers in the provinces of Lanao del Sur and Zamboanga del Sur. Approximately 19 percent of the population of Mindanao is Muslim, according to the 1990 census. Members of the Muslim community are concentrated in five provinces of western Mindanao, the only provinces in which they represent the majority: Maguindanao; Lanao del Sur; Basilan; Sulu; and Tawi-Tawi. There also are significant Muslim communities in nearby Mindanao provinces, including Zamboanga del Sur, Zamboanga Sibugay, (this is a new province, added in 2001, which is located in the middle portion of what was formerly all Zamboanga del Sur), Zamboanga del Norte, Sultan Kudarat, Lanao del Norte, and North Cotabato. There are sizable Muslim neighborhoods in metropolitan Manila on Luzon, and in Palawan.

Among Protestant and other Christian groups, there are numerous denominations, including Seventh Day-Adventists, United Church of Christ, United Methodist, Assemblies of God, the Church of Jesus Christ of Latter-Day Saints (Mor-

mons), and Philippine (Southern) Baptist denominations. In addition, there are three churches established by Filipino religious leaders, the Independent Church of the Philippines or Aglipayan, the Iglesia ni Cristo (Church of Christ), and the Ang Dating Daan (an offshoot of Iglesia ni Cristo). A majority of the country's nearly 12 million indigenous people reportedly are Christians. However, observers note that many indigenous groups mix elements of their native religions with Christian beliefs and practices.

Christian missionaries work throughout the country, including most parts of western Mindanao, often within Muslim communities.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice, although there were a few exceptions. Although Christianity, particularly Roman Catholicism, is the dominant religion, there is no state religion, and under the Constitution church and state are separate. The Government generally does not restrict adherents of other religions from practicing their faith.

Organized religions must register with the Securities and Exchange Commission as non stock, nonprofit organizations and with the Bureau of Internal Revenue to establish their tax-exempt status. There were no reports of discrimination in the registration system during the period covered by this report.

The Government provides no direct subsidies to institutions for religious purposes, including to the extensive school systems maintained by religious orders and church groups. The Office of Muslim Affairs, funded through the Office of the President, generally limits its activities to fostering Islamic religious practices, although it also has the authority to coordinate projects for economic growth in predominantly Muslim areas. The office's Philippine Pilgrimage Authority helps coordinate the travel of religious pilgrimage groups to Mecca, in Saudi Arabia, by providing bus service to and from airports, hotel reservations, and guides. The Presidential Assistant for Muslim Affairs helps coordinate relations with countries that have large Islamic populations and that have contributed to Mindanao's economic development and to the peace process with insurgent groups.

The Autonomous Region in Muslim Mindanao (ARMM) was established in 1990 to respond to Muslim demands for local autonomy in areas where they represent a majority or a substantial minority. In 1996 the Government signed a peace agreement with the Islamic Moro National Liberation Front (MNLF), concluding an often violent struggle that lasted more than 20 years. Following the 1996 peace agreement, a largely free, fair, and peaceful plebiscite for an expanded ARMM was held in August 2001 with one additional province, Basilan, and one additional city, Marawi, voting to join the ARMM regional government (which previously had been comprised of Sulu, Tawi Tawi, Lanao del Sur, and Maguindanao).

The Government is working with the MNLF's leaders on a variety of development programs to reintegrate former MNLF fighters into the market economy through jobs and business opportunities. The integration of ex-MNLF fighters into the armed forces and police has been somewhat effective in easing suspicion between Christians and Muslims.

Peace negotiations between the Government and the Moro Islamic Liberation Front (MILF), the chief remaining armed Muslim separatist group, continued during the period covered by this report. In June 2001, the Government and the MILF agreed to implement a ceasefire; however, intermittent clashes continued. In May 2002, the Government and the MILF signed an agreement outlining guidelines on the humanitarian, rehabilitation, and development aspects of the 2001 peace agreement. Negotiations that could lead to a more formal peace arrangement continue.

In July 2001, President Macapagal-Arroyo issued strict instructions to the military that mosques were not to become targets and no mosques were to be entered in pursuit of suspects.

The teaching of religious classes in public schools is permitted with the written consent of parents, provided that there is no cost to the Government. Based on a traditional policy of promoting moral education, local public schools make available to church groups the opportunity to teach moral values during school hours. Attendance is not mandatory, and various churches rotate in sharing classroom space. In addition, in February 2002, the Department of Education, Culture and Sports (DECS) issued an order directing public schools to allow interested groups to distribute the Bible for free in their schools. In many parts of Mindanao, Muslim students routinely attend Catholic schools from elementary to university level. These students are not required to receive Catholic religious instruction. In November

2001, DECS directed that schools ensure that the religious rights of students are protected, and specifically that Muslim students are allowed to wear their head coverings (hijab), and that Muslim girls not be required to wear shorts during physical education classes. In October 2001, the Philippine Military Academy announced plans to erect a mosque on campus to allow Muslim cadets (10 out of a total student body of 700) a place to worship and to enhance cultural awareness of Islam for all cadets.

There are 1,569 existing Islamic schools (madaris) across the country. Of these, 832 madaris are located in the ARMM, while 737 are located outside the ARMM. Only 35 of the madaris are registered with DECS. This is due in large part to the inability to meet the DECS' accreditation standards for curricula and adequate facilities. President Macapagal-Arroyo has called for the integration of the madrassah schools into the country's national education system. A new program, Education for Peace and Progress in Mindanao, was announced in May 2002, and is to be implemented in the 2002-2003 school year. The program's goal is to integrate madaris into the country's national education system and "to foster religious understanding between the country's Muslim minority and the Christian majority." The five-point program agenda includes information and communications technology, madrassah education, peace education, and Mindanao culture and history. It also includes teacher training. The program is to be used in madaris in the ARMM initially, and eventually in all of the provinces of Mindanao. Some critics have stated that the program violates the prohibition against state-funded promotion of religion.

The Government has declared the Catholic holidays of Maundy Thursday, Good Friday, All Saints' Day, and Christmas official holidays. In 2001 President Macapagal-Arroyo also declared the last day of Ramadan, or Eid al-Fitr, to be an official holiday. This declaration prompted a very positive reaction from the Muslim community. In May 2002, a Senate bill was introduced which would permanently create two Muslim national holidays, Eid al-Fitr and Eid al Adha (celebrating the annual pilgrimage to Mecca). The bill had not been passed by the end of the period covered by this report.

#### *Restrictions on Religious Freedom*

Muslims, who are concentrated in many of the most impoverished provinces in the country, complained that the Government has not made sufficient efforts toward economic development in those areas. Some Muslim religious leaders asserted that Muslims suffer from economic discrimination, which is reflected in the Government's failure to provide money to stimulate southwestern Mindanao's sluggish economic development. In the last half of 2001, the Government increased its efforts to stimulate economic development in the south. The Government solicited foreign aid specifically targeted at the ARMM and other areas of Muslim concentration, in part as a means of addressing the terrorist threat. Leaders in both Christian and Muslim communities contend that economic disparities and ethnic tensions, more than religious differences, are at the root of the modern separatist movement that emerged in the early 1970's.

Intermittent government efforts to integrate Muslims into political and economic society have achieved only limited success to date. Many Muslims claim that they continue to be underrepresented in senior civilian and military positions, and have cited the lack of proportional Muslim representation in the national government institutions. At the end of the period covered by this report, there was one Muslim cabinet secretary and two Muslim senior presidential advisors, but there were no Muslim senators or Supreme Court justices. There were 9 Muslims in the 214-member House of Representatives.

The Code of Muslim Personal Laws recognizes the Shari'a civil law system as part of national law; however, it does not apply in criminal matters, and it applies only to Muslims. Some Muslim religious leaders (ulamas) argue that the Government should allow Islamic courts to extend their jurisdiction to criminal law cases. There currently are 14 Shari'a Circuit Court judges and one Shari'a District Court judge. As in other parts of the judicial system, the Shari'a courts suffer from a large percentage of unfilled positions. Some of the ulama also support the MILF's goal of forming an autonomous region governed in accordance with Islamic law.

#### *Abuses of Religious Freedom*

Prior to the November 2001 elections for ARMM officials, more than 80 persons were killed and many more wounded when MNLF members loyal to outgoing ARMM Governor Nur Misuari attacked an Armed Forces of the Philippines (AFP) outpost in Sulu. Misuari fled to Malaysia in late November 2001, where he was detained for entering Malaysia illegally; and he was deported to the Philippines in

January 2002. From January 2002 to the end of the period covered by this report, Misuari was detained in the Philippines on charges of sedition and rebellion.

Doubts have been raised about the loyalty of some of former MNLF rebels who were integrated ("integrees") into the armed forces and the national police in 2000, as outlined in the 1996 peace agreement between the MNLF and the Government. In the wake of the uprising by Nur Misuari loyalists in November 2001, the Government conducted a loyalty check of integrees. Although no integrees were reported to have been expelled at that time, suspicions lingered. In January 2002, a firefight took place in Jolo, Sulu Island, between police integrees and Armed Forces of the Philippines marines in which 21 persons were killed. Civilians hacked to death three government soldiers the day after the clash. Fifty Muslim integrees were moved from Sulu Island to their headquarters in Maguindanao in an effort to ease tensions. A television reporter, held hostage under suspicious circumstances, claimed upon her release that her kidnapers had been MNLF integrees. Many observers question the veracity of her report.

The profit-oriented terrorist Abu Sayyaf Group (ASG) claims to seek the immediate establishment of an independent Islamic state in the southwestern part of the country. In fact, however, the ASG is a loose collection of criminal-terrorist gangs, and its religious affiliation is rejected by mainstream Muslim leaders. In late May 2001, the ASG kidnaped 20 hostages, including several foreign nationals. More hostages were taken in June 2001, and several were beheaded by their captors. Most of the hostages were released, amidst allegations that ransom was paid. The U.S. Embassy in Manila stated that on June 7, 2002, two of the three remaining hostages were killed during a rescue attempt; and the third hostage was injured but was recovered by AFP troops and survived. Philippine military officials announced on June 21, 2002, that a high-ranking Abu Sayyaf leader and designated spokesman, Abu Sabaya, had been killed in a firefight with Filipino troops. As of the end of the period covered by this report, Abu Sabaya's body had not been recovered. Both Philippine and U.S. officials believe Abu Sabaya to be dead based on eyewitness reports that he was shot multiple times and fell into shark-infested waters too deep to be searched thoroughly for remains. Captured Abu Sayyaf guerillas testified that prior to the June 7, 2002 firefight Abu Sabaya had ordered the killing of the three remaining hostages. Although many Muslims believe that discrimination against them is rooted in their religious culture, most do not favor the establishment of a separate state, and the overwhelming majority reject terrorism as a means of achieving a satisfactory level of autonomy. Mainstream Muslim leaders, both domestic and foreign, have criticized strongly the actions of the ASG and its renegade offshoots as "un-Islamic."

The Government placed responsibility on the MILF for mass killings on July 16, 2000, in Bumbaran, Lanao del Sur Province; however after subsequent investigation, the Commission on Human Rights stated that the perpetrators could have been non-MILF separatists posing as MILF members, or may have been renegade former members of the MNLF. MILF soldiers reportedly had forced approximately 33 civilians, all Christians, into a Muslim prayer house in the early morning. After a nearby battle during the day between the MILF and government forces, armed persons fired on the civilians in custody, killing 21 persons and injuring 9 others.

On August 27, 2000, unidentified persons attacked a vehicle and killed 12 passengers, all Muslims, in Carmen, North Cotabato. The Government blamed the MILF, but the provincial governor stated that those responsible may have been civilians seeking revenge on Muslims. The perpetrators have not been found and there were no new steps taken in the case.

President Macapagal-Arroyo briefly declared a "state of lawlessness" in Basilan in July 2001, and gave the military the power to detain suspected Abu Sayyaf members and supporters for 36 hours without an arrest warrant. The military detained 73 Muslim individuals under this authority. Some with names similar to those of Abu Sayyaf members remained in detention at the end of the period covered by this report. Several human rights groups maintain that the detainees are innocent civilians who were targeted because they are Muslim.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversions*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Religious affiliation customarily is a function of a person's family, ethnic group, or tribal membership. Historically, Muslims have been alienated socially from the dominant Christian majority, and there is some ethnic and cultural discrimination against Muslims.

Christian and Muslim communities live in close proximity throughout central and western Mindanao and, in many areas, their relationship is harmonious. However, efforts by the dominant Christian population to resettle in traditionally Muslim areas, particularly over the past 60 years, have brought resentment from some Muslim residents. Muslims view Christian proselytizing as an extension of an historical effort by the Christian majority to deprive them of their homeland and cultural identity as well as of their religion. Christian missionaries work in most parts of western Mindanao, often within Muslim communities.

Although Christian-Muslim relations remained strained, they improved during the period covered by this report, mainly due to such Government actions as the renewed efforts to negotiate with the separatist MILF, the appointment of a Muslim cabinet secretary, the declaration of Eid al-Fitr as a national holiday, and increased assistance to Muslims making the Hajj. However, the Government's crackdown on the terrorist ASG beginning in July 2001 led to accusations by many human rights NGO's of police and military abuses.

The national culture, with its emphasis on familial, tribal, and regional loyalties, creates informal barriers whereby access to jobs or resources is provided first to those of one's own family or group. Some employers have a biased expectation that Muslims have lower educational levels. Muslims report that they have difficulty renting rooms in boarding houses or being hired for retail work if they use their real name or wear distinctive Muslim dress. Some Muslims therefore use a Christian pseudonym and do not wear distinctive dress when applying for housing or jobs. Predominantly Muslim provinces in Mindanao continue to lag behind the rest of the island of Mindanao in almost all aspects of socioeconomic development.

Religious dialog and cooperation among the country's various religious communities generally are amicable. Many religious leaders are involved in ecumenical activities and also in interdenominational efforts to alleviate poverty. The Interfaith Group, which is registered as a NGO, includes Roman Catholic, Islamic, and Protestant church representatives who have joined together in an effort to support the Mindanao peace process through work with communities of former combatants. Besides social and economic support, the Interfaith Group seeks to encourage Mindanao communities to instill their faiths in their children.

Amicable ties among religious groups are reflected in many nonofficial organizations. The leadership of human rights groups, trade union confederations, and industry associations represent many religious persuasions.

The Bishops-Ulamas Conference, which meets monthly to deepen mutual doctrinal understanding between Roman Catholic and Muslim leaders in Mindanao, helps further the Mindanao peace process. The convenors of the conference are the Archbishop of Davao, Ferdinand Capalla, the President of the Ulama Association, Majid Mutilan, and Bishop Hilario Gomez. The conference seeks to foster exchanges at the local level between parish priests and local Islamic teachers. Paralleling the dialog fostered by religious leaders, the Silsila Foundation in Zamboanga City hosts a regional exchange among Muslim and Christian academics and local leaders meant to reduce bias and promote cooperation. Other active groups include the Mindanao State University Peace Institute, the Ranao-Muslim Christian Movement for Dialogue, the Peace Advocates of Zamboanga, the Ateneo Peace Institute, and the Peace Education Center of the Notre Dame University. In October 2001, 85 Christians and 23 Muslims participated in a Youth Peace Camp. The camp was organized by school teachers in Kauswagan, Lanao del Norte. At the conclusion of the camp, participants stated that they felt that the conflict in Mindanao is not religious, but rather economic in nature, and that it could only be resolved by respect, justice, and trust.

The Government's National Ecumenical Commission (NEC) fosters interfaith dialog among the major religious groups—the Roman Catholic Church, Islam, Iglesia ni Cristo, the Philippine Independent Church (Aglipayan), and Protestant denominations. The Protestant churches are represented in the NEC by the National Council of Churches of the Philippines and the Council of Evangelical Churches of the Philippines. Members of the NEC met periodically with the President to discuss social and political questions.

The International Association for Religious Freedom has a regional office in Manila, and the International Religious Liberty Association held its World Congress on Religious Freedom in June 2002.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy staff members have met with representatives of all major faiths to learn about their concerns on a variety of issues. In addition, the U.S. Government supports the Government's peace process with Muslim insurgents in Mindanao, which has the potential to contribute to a better climate for interfaith cooperation.

The U.S. Agency for International Development (USAID) budgeted \$40.6 million for grant assistance to Mindanao in 2002. Much of this is targeted towards the poorest regions of Muslim Mindanao. USAID operates the Growth with Equity in Mindanao (GEM) program, which supports conflict resolution mechanisms and seeks to improve governance and education in the ARMM. The Livelihood Enhancement and Peace Program (LEAP) assists in the reintegration of 25,000 former Muslim combatants and provides development assistance to hundreds of communities in MNLF areas.

During the period covered by this report, the Embassy sent both Muslim and Catholic leaders to International Visitor Programs in the United States. Participants in one three-week program examined the U.S.'s commitment to religious freedom, and explored ways in which religious diversity enhances public policy debate and contributes to the development of stable communities in the U.S. Other religious leaders from Mindanao participated in a 4-week International Visitor Program on "Conflict Resolution and Development." The Philippine International Visitor Alumni Association established its own working group focusing on peace and Muslim-Christian relations.

The Embassy also brought several prominent U.S. citizens to the country to give talks and to participate in discussions on religious freedom. In October 2001, a professor from one U.S. university spoke to numerous audiences on the topic of conflict resolution and cross-cultural understanding for 1 week.

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**SAMOA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country comprises two major islands that have a total area of approximately 1,000 square miles, and the population is approximately 210,000. Most live on the island of Upolu, where the capital, Apia, is located. As a result of a strong missionary movement in the 19th century, nearly 100 percent of the population is Christian; most of the population is Protestant, although Roman Catholicism is a significant force. The religious distribution of the population is estimated to be: Congregational Christian Church, 43 percent; Catholic, 21 percent; Methodist, 17 percent; the Church of Jesus Christ of Latter-Day Saints (Mormons), 10 percent; and Seventh-Day Adventist, 3 percent. There are small congregations of other Christian denominations, as well as members of the Baha'i Faith and adherents of Islam. There are no reports of atheists. This distribution of church members is reflected throughout the population, but individual villages, particularly small ones, may have only one or two of the major churches represented.

Foreign nationals and immigrants practice the same religions as native-born (Western) Samoans. There are no sizable foreign national or immigrant groups, with the exception of U.S. citizens, most of whom are American Samoans.

The major denominations (for example, Congregational, Methodist, Roman Catholic, and Church of Jesus Christ of Latter-Day Saints) that are present in the country all have missionaries, as does the Bah'ai Faith.

There is little or no correlation between religious differences and ethnic or political differences. Religious groups include citizens of various social and economic strata.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion along with freedom of thought and conscience, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. The Constitution provides for the right to practice the religion of one's choice, and the Government observes and enforces these provisions. The Constitution and law also provide for the protection of the right of religious freedom and effective remedies for violation of that right. Legal protections cover discrimination or persecution by private as well as government actors, and laws are applied and enforced in a nondiscriminatory manner. Judicial remedies are accessible and effective.

The preamble to the Constitution acknowledges "an independent State based on Christian principles and Samoan custom and traditions." Nevertheless, although Christianity is favored constitutionally, there is no official or state denomination.

There are no requirements for the recognition of a religious group or for licenses or registration. Missionaries operate freely, either as part of one of the established churches, or by conducting independent revival meetings.

The Constitution provides freedom from unwanted religious indoctrination in schools but gives each denomination or religion the right to establish its own schools; these provisions are adhered to in practice. There are both religious and public schools; the public schools do not have religious instruction as part of their curriculum. Pastoral schools in most villages provide religious instruction following school hours.

Aside from Christmas, there are no religious holidays that are considered national holidays.

The Government takes steps to promote interfaith understanding by rotating ministers from various denominations who assist at government functions. Most government functions include a prayer at the opening.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

Although the Constitution grants each person the right to change religion or belief and to worship or teach religion alone or with others, in practice the matai (village chiefs) often choose the religious denomination of the aiga (extended family). In previous years, despite constitutional protections, village councils—in the name of maintaining social harmony within the village—sometimes banished or punished families that did not adhere to the prevailing religious belief in the village. However, civil courts take precedence over village councils, and courts have ordered families readmitted to the village. The 1990 Village Fono Act gives legal recognition to the decisions of the fono (village courts) and provides for limited recourse of appeal to the Lands and Titles Courts and to the Supreme Court. In July 2000, the Supreme Court ruled that the Village Fono Act could not be used to infringe upon villagers' freedom of religion, speech, assembly, or association. During the period covered by this report, there were no reports that persons were banished by villages due to their practicing religion differently from that practiced by the village majority.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

There is strong societal pressure at the village and local level to attend church, participate in church services and activities, and support church leaders and projects financially. In some denominations, such financial contributions often total more than 30 percent of family income. A high percentage of the population attends church weekly.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy also maintains contacts with representatives of the country's various religious communities.

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**SINGAPORE**

The Constitution provides for freedom of religion; however, the Government restricts this right in some circumstances.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government has banned Jehovah's Witnesses and the Unification Church. The Government does not tolerate speech or actions that could affect adversely racial or religious harmony.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 254 square miles, and its total population is approximately 4 million, of whom 3.3 million are citizens or permanent residents. According to an official survey in November 2000 by the Census of Population Office of the Department of Statistics, 85 percent of citizens and permanent residents profess some religious faith or belief. Of this group, slightly more than one-half (51 percent) practice Buddhism, Taoism, ancestor worship, or other faiths traditionally associated with the ethnic Chinese population. Approximately 15 percent of the population are Muslim, approximately 15 percent are Christian, and approximately 4 percent are Hindu. The remainder are adherents of other religions, agnostics, or atheists. Among Christians, the majority of whom are ethnic Chinese, Protestants outnumber Roman Catholics by slightly more than two to one. There are also small Sikh, Jewish, Zoroastrian, and Jain communities.

Approximately 77 percent of the population are ethnic Chinese, approximately 14 percent are ethnic Malay, and approximately 8 percent are ethnic Indian. Virtually all ethnic Malays are Muslim and most ethnic Indians are Hindu. The ethnic Chinese population is divided among Buddhism, Taoism, and Christianity, or is agnostic or atheist.

Foreign missionaries are active in the country and include Catholics, Mormons, and Baptists.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion; however, the Government restricts this right in some circumstances. The Constitution provides that every citizen or person in the country has a constitutional right to profess, practice, or propagate his religious belief so long as such activities do not breach any other laws relating to public order, public health, or morality. There is no state religion.

All religious groups are subject to government scrutiny and must be registered legally under the Societies Act. The Government deregistered the Singapore Convention of Jehovah's Witnesses in 1972 and the Unification Church in 1982, making them unlawful societies.

The Government plays an active but limited role in religious affairs. For example, the Government seeks to ensure that citizens, the great majority of whom live in publicly subsidized housing, have ready access to religious organizations traditionally associated with their ethnic groups by assisting religious institutions to find space in these public housing complexes. The Government maintains a semiofficial relationship with the Muslim community through the Islamic Religious Council (MUIS) set up under the Administration of Muslim Law Act. The MUIS advises the Government on concerns of the Muslim community, has some regulatory functions over Muslim religious matters, and oversees a Mosque Building Fund financed by voluntary payroll deductions.

The Constitution acknowledges ethnic Malays as "the indigenous people of Singapore" and charges the Government to support and promote their political, educational, religious, economic, social, cultural, and language interests.

The Presidential Council on Minority Rights examines all pending bills to ensure that they do not disadvantage a particular group. It also reports to the Government on matters affecting any racial or religious community and investigates complaints.

The Government does not permit religious instruction in public schools.

There is one official holiday for each of the major religions in the country: Hari Raya Haji for Muslims, Christmas for Christians, Deepavali for Hindus, and Vesak Day for Buddhists.

The Government does not promote interfaith understanding directly; however, it sponsors activities to promote inter-ethnic harmony, and, because the primary ethnic minorities each are predominantly of one faith, government programs to promote ethnic harmony have implications for interfaith relations.

#### *Restrictions on Religious Freedom*

The Government restricts certain religions by application of the Societies Act; it has banned Jehovah's Witnesses and the Unification Church. In 1982 the Minister for Home Affairs dissolved the Holy Spirit Association for the Unification of World Christianity, also known as the Unification Church. In 1972 the Government deregistered and banned the Singapore Congregation of Jehovah's Witnesses on the grounds that its roughly 2,000 members refuse to perform military service (which is obligatory for all male citizens), salute the flag, or swear oaths of allegiance to the State. Although the Court of Appeals in 1996 upheld the rights of members of Jehovah's Witnesses to profess, practice, and propagate their religious belief, and the Government does not arrest members merely for being believers, the result of deregistration has been to make meetings of Jehovah's Witnesses illegal. The Government also has banned all written materials published by the International Bible Students Association and the Watch Tower Bible and Tract Society, both publishing arms of Jehovah's Witnesses. In practice this has led to confiscation of Bibles published by the group, although the Bible itself has not been outlawed. A person in possession of banned literature can be fined up to \$2,200 (SD 4,000).

As of June 30, 2002, there were 30 Jehovah's Witnesses incarcerated in the Armed Forces Detention Barracks because of their refusal to carry out the legal obligation for all male citizens to serve in the Armed Forces. (There were no known conscientious objectors other than members of Jehovah's Witnesses during the period covered by this report.) The initial sentence for failure to comply with the military service requirement is 15 months' imprisonment, to which 24 months are added upon a second refusal. Subsequent failures to perform required annual military reserve duty result in 40-day sentences; a 12-month sentence is usual after four such refusals.

Since the beginning of 2000, public secondary schools have suspended indefinitely at least 15 students who were members of Jehovah's Witnesses for refusing to sing the national anthem or participate in the flag ceremony. In April 2001, one public school teacher, also a member of Jehovah's Witnesses, resigned after being threatened with dismissal for refusing to participate in singing the national anthem. In 1998 another member of Jehovah's Witness lost a lawsuit against a government school for wrongful dismissal because he also refused to sing the national anthem or salute the flag. In March 1999, the Court of Appeals denied his appeal. From January 2001 through June 2002, at least three more secondary school students were suspended indefinitely for not singing the national anthem. Some parents wrote letters to individual school principals and the Minister of Education requesting reconsideration, which was denied.

The Maintenance of Religious Harmony Act, which was prompted by actions that the Government perceived as threats to religious harmony, including aggressive and "insensitive" proselytizing and "the mixing of religion and politics," allows the Government to restrain leaders and members of religious groups and institutions from carrying out political activities, "exciting disaffection against" the Government, creating "ill will" between religious groups, or carrying out subversive activities. The act also prohibits judicial review of its enforcement or of any possible denial of rights arising from it.

The Government does not tolerate speech or actions, including ostensibly religious speech or action, that affect racial and religious harmony and sometimes issues restraining orders barring persons from taking part in such activities.

The Presidential Council on Religious Harmony reports to the Minister for Home Affairs on matters affecting the maintenance of religious harmony that are referred to the Council by the Minister or by Parliament. The Council also considers and makes recommendations to the Minister on restraining orders referred to the Council by the Minister. Such orders are directed at individuals to restrain them from causing feelings of enmity, hatred, ill will, or hostility among various religious groups or to restrain them from mixing religion with politics. The orders place indi-

viduals on notice that they should not repeat such acts, and advise them that failure to comply would result in prosecution in a court of law.

In October 2000, the Government refused to grant a public entertainment license for a controversial play that depicted marital violence experienced by Indian Muslim women, after the Islamic Religious Council of Singapore strongly objected to the content of the play. The Government rejected the application on the grounds that the play might inflame religious and ethnic passions.

Missionaries, with the exception of members of Jehovah's Witnesses and representatives of the Unification Church, are permitted to work and to publish and distribute religious texts. However, while the Government does not prohibit evangelical activities, in practice it discourages activities that might upset the balance of inter-communal relations.

On December 31, 2000, police arrested and later charged 15 Falun Gong adherents for conducting a protest without a permit; only 2 of those arrested were citizens. The 15 persons arrested had participated in an assembly of 60 Falun Gong members who sought to draw attention to the arrest and killing of Falun Gong members in the People's Republic of China (PRC). The group had not sought a permit, asserting that police had not responded to their previous efforts to obtain permits; the authorities stated that these assertions were untrue. In March 2001, seven members of the group were sentenced to 4 weeks in jail for refusing to hand over placards to the police. The other eight, who were charged with assembling without a permit, were fined \$540 (SD1000) each. Of the six PRC citizens who were imprisoned, the authorities later canceled the immigration status of five, including one permanent resident, and required them to leave the country; the remaining PRC citizen already had departed the country.

In October 1999, the Government proposed compulsory education for all children, which prompted concern from the Malay/Muslim community regarding the fate of madrassahs (Islamic religious schools). In response the Government exempted madrassah students from compulsory attendance in national schools when the legislation was enacted in October 2000. However, madrassahs were given 8 years from the time that the law goes into effect to achieve minimum academic standards or they will no longer be allowed to teach core secular subjects such as science, mathematics, and English. Compulsory education is scheduled to be implemented beginning with the new school term that starts on January 1, 2003.

The Women's Charter, enacted in 1961, gives women, among other rights, the right to own property, conduct trade, and receive divorce settlements. Muslim women enjoy most of the rights and protections of the Women's Charter; however, for the most part, Muslim marriage law falls under the administration of the Muslim Law Act, which empowers the Shari'a court to oversee such matters. Those laws allow Muslim men to practice polygyny. Requests to take additional wives may be refused by the Registry of Muslim Marriages, which solicits the views of existing wives and reviews financial capability. Of the approximately 4,000 Muslim marriages registered in 2001, only 20 were polygynous.

#### *Abuses of Religious Freedom*

Authorities briefly detained and questioned a man in 2000 and three others in 2001 for possession of banned religious material; none were charged with an offense.

There is an ongoing debate over the "tudung" (woman's headscarf); the debate is reported widely in the local press. In early 2002, three female Muslim secondary school students were suspended from public schools for continuing to wear the tudung in violation of school uniform requirements. A fourth girl's parents withdrew her from school over the same issue. The girls' parents objected to the suspensions; the matter remained pending in preliminary court proceedings at the end of the period covered by this report. In February 2002, an opposition leader criticized the Government's ban on the wearing of tudungs in public schools during a speech at "Speakers' Corner," which occupies a portion of a public park. He continued despite a police warning that the speech violated the venue's restrictions against discussing sensitive ethnic or religious issue in public. He later was convicted of violating the Public Entertainment and Meetings Act, and was fined \$1700 (SD3000); fines over \$1130 (SD2000) automatically bar a person from seeking public office for 5 years.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations among religious communities in society generally are amicable. Virtually all ethnic Malay citizens are Muslim, and ethnic Malays constitute the great majority of the country's Muslim community. Attitudes held by non-Malays regarding the Malay community and by Malays regarding the non-Malay community are based on both ethnicity and religion, which are virtually impossible to separate.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy maintains contacts with the various religious communities in the country.

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**SOLOMON ISLANDS**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 11,599 square miles, and its population is approximately 450,000. Most citizens are members of Christian churches. The Anglican, Roman Catholic, Evangelical, Methodist, and Seventh-Day Adventist denominations are represented. Traditional indigenous religious believers, consisting primarily of the Kwaio community on the island of Malaita, account for approximately 5 percent of the population. Other groups, such as the Baha'i Faith, Jehovah's Witnesses, the Church of Jesus Christ of Latter-Day Saints (Mormons), and indigenous churches that have broken away from traditional Christian churches, account for another 2 percent. There are believed to be members of additional world religions within the foreign community who are free to practice their religion, but they are not known to proselytize or to hold public religious ceremonies. According to the most recent census figures, there are only 12 Muslims in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Department of Home and Cultural Affairs has a nominal policymaking role concerning religion. It characterizes this role, on the one hand, as keeping a balance between constitutionally protected rights of religious freedom, free speech, and free expression; and, on the other hand, maintenance of public order. All religious institutions are required to register with the Government; however, there were no reports that registration has been denied to any group.

In general the Government does not subsidize religion. However, several schools and health services in the country were built by and continue to be operated by religious organizations. There are schools sponsored by the Roman Catholic Church, the Church of Melanesia, the United Church (Methodist), the South Seas Evangelical Church, and the SeventhDay Adventist Church. Upon independence the Government recognized that it had neither the funds nor the personnel to take over these institutions and agreed to subsidize their operations. The Government also pays the salaries of most teachers and health staff in the national education system.

The public school curriculum includes 30 minutes daily of religious instruction, the content of which is agreed upon by the Christian churches; students whose parents do not wish them to attend the class are excused. However, the Government does not subsidize church schools that do not align their curriculums with governmental criteria. There is mutual understanding between the Government and the

churches but no formal memorandum of understanding. Although theoretically non-Christian religions can be taught in the schools, there is no such instruction at present.

Christianity was brought to the country in the 19th and early 20th centuries by missionaries representing several Western churches: The Anglican Church, the Roman Catholic Church, the South Seas Evangelical Church, the Seventh-Day Adventist Church, and the London Missionary Society (which became the United Church). Some foreign missionaries continue to work in the country. However, with the exception of the Roman Catholic Church, whose clergy is approximately 50 percent indigenous, the clergy of the other traditional churches is nearly entirely indigenous. Traditional church missionaries are represented by religions such as the Seventh-Day Adventist Church, the United Church (Methodist), the South Seas Evangelical Church, the Church of Jesus Christ of Latter-Day Saints, and Jehovah's Witnesses.

There are no government-sponsored ecumenical activities. Customarily, government oaths of office are taken on the Bible; however, religious oaths are forbidden by the Constitution and cannot be required.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Joint religious activities, such as religious representation at national events, are organized through the Solomon Islands Christian Association, which is composed of the five traditional churches of the country. Occasionally individual citizens object to the activities of nontraditional denominations and suggest that they be curtailed. However, society in general is tolerant of different religious beliefs and activities.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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## THAILAND

The law provides for freedom of religion, and the Government generally respects this right in practice; however, it does not register new religious groups that have not been accepted into one of the existing religious governing bodies on doctrinal or other grounds. The Government officially limits the number of foreign missionaries that may work in the country, although these quotas are not strictly enforced.

There was no change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 190,000 square miles and its population is approximately 60 million. In a 2000 survey, over 99 percent of the population professed some religious belief or faith. According to the Government's National Statistics Office, approximately 94 percent of the population are Buddhist, and 5 percent are Muslim; however, recent estimates by other government agencies, academics, and religious groups state that approximately 85 to 90 percent of the population are Theravada Buddhist, and up to 10 percent of the population are Muslim. Estimates also indicate that Christians constitute approximately 1 to 2 percent

of the population. There are small animist, Hindu, Sikh, Taoist, Jewish, and Confucian populations. No official statistics exist as to the numbers of atheists or persons who do not profess a religious faith or belief, but recent surveys indicate that together they make up less than 1 percent of the population.

The dominant religion is Theravada Buddhism. The Buddhist clergy or Sangha consists of two main schools, which are governed by the same ecclesiastical hierarchy. Monks belonging to the older Mahanikaya school far outnumber those of the Dhammayuttika School, an order that grew out of a 19th century reform movement led by King Mongkut (Rama IV).

Islam is the dominant religion in four of the five southernmost provinces, which border Malaysia. Minority Muslim populations also live in 74 of the 76 provinces. The majority of Muslims are ethnic Malay, but the Muslim population encompasses groups of diverse ethnic and national origin, including descendants of immigrants from South Asia, China, Cambodia, and Indonesia. Government agencies did not use consistent figures to describe the size of the Muslim population during the period covered by this report, but most estimates suggest that Muslims constitute between 6 and 10 percent of the population. There are approximately 3,320 mosques in 59 provinces, with the largest number in Pattani province. All but a very small number of these mosques are associated with the Sunni branch of Islam. The remainder, estimated by the Religious Affairs Department (RAD) to be from 1 to 2 percent of the total, are associated with the Shi'a branch of Islam.

According to government statistics, Christians constitute approximately 0.7 percent (438,600) of the population. Almost half of the Christian population lives in Chiang Mai province. The remainder live in the Bangkok area and in the northeastern provinces. Approximately 25 percent of the Christian population is Roman Catholic. There also are several Protestant denominations. Most Protestant churches belong to one of four umbrella organizations. The oldest of these groupings, the Church of Christ in Thailand, was formed in the mid-1930's. The largest is the Evangelical Foundation of Thailand. Baptists and Seventh-Day Adventists are recognized by government authorities as separate Protestant denominations and are organized under similar umbrella groups.

There are six tribal groups (chao khao) recognized by the Government, with an estimated population from 500,000 to 600,000 persons, whose members generally are described as animists. Syncretistic practices drawn from Buddhism, Christianity, Taoism, and ethnic Tai spirit worship are common. The Hindu and Sikh communities have an estimated population of approximately 23,000 persons. Both are associated with small immigrant groups that arrived from South Asia during the 20th century, although Brahman temples had been established in Bangkok as early as 1784. The majority of Hindus and Sikhs live in Chonburi, Bangkok, and Phuket provinces.

The ethnic Chinese minority (Sino-Thai) has retained some popular religious traditions from China, including adherence to popular Taoist beliefs. Members of the Mien hill tribe follow a form of Taoism.

Mahayana Buddhism is practiced primarily by small groups of Chinese and Vietnamese immigrants. There are more than 650 Chinese and Vietnamese Mahayana Buddhist shrines and temples throughout the country.

Citizens proselytize freely. Monks working as Buddhist missionaries (Dhammaduta) have been active since the end of World War II, particularly in border areas among the country's tribal populations. In May 2002, there were approximately 2,900 Dhammaduta working in the country. In addition the Government sponsored the international travel of another 881 Buddhist monks sent by their temples to disseminate religious information abroad. Christian and Muslim organizations also reported having small numbers of citizens working as missionaries in the country and abroad.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The law provides for freedom of religion, and the Government generally respects this right in practice; however, it restricts the activities of some groups. The Constitution requires that the monarch be a Buddhist. The state religion in effect is Theravada Buddhism; however, it is not designated as such. When the Constitution was being drafted in 1997, the Constitutional Drafting Assembly rejected a proposal to have Theravada Buddhism named the official religion on the grounds that such an action would create social division and be "offensive" to other religious communities in the country.

The Constitution states that discrimination against a person on the grounds of "a difference in religious belief" shall not be permitted. There was no significant pat-

tern of religious discrimination during the period covered by this report. The Government maintained longstanding policies designed to integrate Muslim communities into society through developmental efforts and expanded educational opportunities, as well as policies designed to increase the number of appointments to local and provincial positions where Muslims traditionally have been underrepresented.

The Government plays an active role in religious affairs. The Religious Affairs Department, which is located in the Ministry of Education, registers religious organizations. Under the provisions of the Religious Organizations Act of 1969, the Department of Religious Affairs recognizes a new religion if a national census shows that it has at least 5,000 adherents, has a uniquely recognizable theology, and is not politically active. In addition, in order to be registered, a religious organization first must be accepted into an officially recognized ecclesiastical group. During the period covered by this report, there were seven such groups, including one for the Buddhist community, one for the Muslim community, one for the Catholic community, and four for Protestant denominations. Government registration confers some benefits, including access to state subsidies, tax exempt status, and preferential allocation of resident visas for organization officials. However, since 1984 the Government has maintained a policy of not recognizing any new religious faiths. In practice unregistered religious organizations operate freely, and the Government's policy of not recognizing any new religious faiths has not restricted the activities of unregistered religious groups.

The Constitution requires the Government "to patronize and protect Buddhism and other religions." The State subsidizes the activities of the three largest religious communities (Buddhist, Islamic, and Christian). During the period covered by this report, the Government provided approximately \$52 million (2.184 billion baht) to support religious groups. Included in this amount are funds to support Buddhist and Muslim institutes of higher education; to fund religious education programs in public and private schools; to provide daily allowances for monks and Muslim clerics who hold administrative and senior ecclesiastical posts; and to subsidize travel and health care for monks and Muslim clerics. This figure also includes an annual budget for the renovation and repair of Buddhist temples and Muslim mosques, the maintenance of historic Buddhist sites, and the daily upkeep of the Central Mosque in Pattani.

During the period covered by this report, the Government also provided \$66,000 (3 million baht) to Christian organizations to support social welfare projects. Catholic and Protestant churches can request government support for renovation and repair work but do not receive a regular budget to maintain church buildings nor do they receive government assistance to support their clergy. The Government considers donations made to maintain Buddhist, Muslim, or Christian buildings to be tax free income; contributions for these purposes also are tax deductible for private donors.

Religious instruction is required in public schools at both the primary (grades 1 through 6) and secondary (grades 7 through 12) education levels. Students at the primary level are required to take 80 hours of instruction per academic year in religious studies classes. Instruction is limited to Buddhism and Islam. During the period covered by this report, some parts of the country with large Muslim student populations did not have Muslim studies courses. Muslim students in these schools generally were directed to school libraries to participate in Muslim self-study courses.

The Government actively sponsors interfaith dialog in accordance with the Constitution, which requires the State to "promote good understanding and harmony among followers of all religions." The Government funds regular meetings and public education programs. These programs included the Religious Affairs Department annual interfaith meeting for representatives of all religious groups certified by RAD. The September 2001 meeting in Bangkok drew 500 participants. They also included monthly meetings of the 17-member Subcommittee on Religious Relations, located within the Prime Minister's National Identity Promotion Office (the Subcommittee is composed of one representative from the Buddhist, Muslim, Roman Catholic, Hindu, and Sikh communities in addition to civil servants from several government agencies), and a 1 week education program jointly organized by the National Identity Promotion Office and the National Council on Social Welfare. The latter event is held each December in celebration of the King's birthday. Representatives from every religious organization recognized by the RAD are invited to attend seminars associated with the event. The program also targets the general public through films and public displays.

*Restrictions on Religious Freedom*

A January 2002 immigration “blacklist” included the names of at least ten Falun Gong practitioners. The Government gave no reason for its decision to place these names on the list, and has refused to release information about the individuals placed on the list. All apparently are overseas residents who have been arrested in other countries for Falun Gong-related activities.

In February 2001, Thai Falun Gong members voluntarily decided not to proceed with plans to organize an international meeting in Bangkok, proposed for April 2001. Their decision was in part a response to unofficial indications from the Government that it did not favor such a conference. There were reports that the government of China had exerted significant economic pressure on the Government in connection with this issue.

The Government does not recognize new religious faiths outside of the seven existing groupings. For example, the Government has not recognized the Church of Jesus Christ of Latter-Day Saints (Mormons). However, unregistered religious organizations operate freely.

The Government permitted foreign missionary groups to work freely throughout the country, although it also maintained policies that favored proselytizing by its citizens.

The number of foreign missionaries officially registered with the Government is limited to a quota that originally was established by the Religious Affairs Department in 1982. The quota is divided along both religious and denominational lines and is considered sensitive for this reason. The quota system permits 400 Roman Catholic, 623 Protestant Christian, and 10 Islamic missionaries per year to work legally in the country. In addition to these formal quotas, many more missionaries, while not registered formally as missionaries, are able to live and work in the country without government interference. This informal group includes 150 missionaries from the Church of Latter-Day Saints (Mormons).

While official registration conferred some benefits, such as longer terms for visa stays, being unregistered was not a significant barrier to foreign missionary activity during the period covered by this report. Many foreign missionaries entered the country using tourist visas and proselytized or disseminated religious literature without the acknowledgment of the Religious Affairs Department. There were no reports that foreign missionaries were deported or harassed for working without registration, although the activities of Muslim professors and clerics were subjected disproportionately to scrutiny on national security grounds because of continued government concern about the potential resurgence of Muslim separatist activities in the south.

The Constitution provides for, and citizens generally enjoy, a large measure of freedom of speech. However, laws prohibiting speech likely to insult Buddhism remain in place under the 1997 Constitution. The police, who have legal authority under the Printing and Advertisement Act of 1941 to issue written warnings or orders suspending the publication or distribution of printed materials considered offensive to public morals, confiscated a book in December 1999, written by a Phra Dhammakaya temple follower, that attacked a monk who is one of the chief critics of that temple. In December 1999, the police issued an arrest warrant for the author for defamation of character. As of May 2002, no arrest had been made in the case. The book in question remains banned.

National Identity Cards produced by the Ministry of Interior since April 12, 1999 include an optional designation of the religious affiliation of the holder. The 1999 change in policy was implemented in response to the demands of parliamentarians who wanted easier identification of persons requiring Muslim burial. Persons who fail or choose not to indicate religious affiliation in their applications can be issued cards without religious information.

Muslim female civil servants are not permitted to wear headscarves when dressed in civil servant uniforms. However, in practice, most female civil servants are permitted by their superiors to wear headscarves if they wish to do so, particularly in the country’s southernmost provinces. Muslim female civil servants not required to wear uniforms are allowed to wear headscarves.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

None of the religious communities led “ecumenical” movements.

Religious groups closely associated with ethnic minorities, such as Muslims, experience some societal economic discrimination; however, such discrimination appears to be linked more to ethnicity than to religion.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**TONGA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to the free practice of religion.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of approximately 277 square miles and its population is 102,321. According to the last official census (1996), membership by percentage of population of major denominations is: Free Wesleyan Church of Tonga, 41.3 percent; Roman Catholic, 16 percent; Church of Jesus Christ of Latter-Day Saints (Mormons), 14 percent; Free Church of Tonga, 12 percent; others, 17 percent. However, both Roman Catholics and the Mormon Church state that between 30 to 40 percent of all citizens are members of their faiths. Members of the Tokaikolo Church (a local offshoot of the Methodist Church), Seventh-Day Adventists, Assembly of God, Anglicans, the Baha’i Faith, Islam, and Hinduism are represented in much smaller numbers. There were no reports of atheists.

Western missionaries, particularly Mormons and other Christian denominations, are active in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels generally protects this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion.

All religious groups are permitted dutyfree entry of goods intended for religious purposes, but no religious group is subsidized or granted tax-exempt status.

Missionaries operate without special restrictions. There are a number of schools operated by Mormons and by the Wesleyan Church.

*Restrictions on Religious Freedom*

The Constitution states that Sunday, the Sabbath day, is to be “kept holy” and that no business can be conducted “except according to law.” Although an exception is made for hotels and resorts that are part of the tourism industry, the Sabbath day business prohibition is enforced strictly for all businesses, regardless of the business owners’ religion.

The Tonga Broadcasting Commission (TBC) maintains policy guidelines regarding the broadcast of religious programming on Radio Tonga. The TBC guidelines state that in view of “the character of the listening public,” those who preach on Radio Tonga must confine their preaching “within the limits of the mainstream Christian tradition.” Due to this policy, the TBC does not allow members of the Baha’i Faith to discuss the tenets of their religion, or the founder, Baha’u’llah, by name. Similarly, the TBC does not allow Mormons to discuss their founder, Joseph Smith, or the Book of Mormon by name. This policy applies to all churches. Mormons utilize

Radio Tonga for the announcement of church activities and functions. Other faiths also utilize Radio Tonga. Members of the Baha'i Faith utilize a privately owned radio station for program activities and the announcement of functions. A government-owned newspaper occasionally carries news articles about Baha'i activities or events, as well as about those of other faiths.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government does not maintain a resident Embassy in the country; the U.S. Ambassador in Suva, Fiji is accredited to the Government in Naku'alofa. The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Officials from the U.S. Embassy in Fiji meet with religious officials and nongovernmental organizations during visits to the country.

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## TUVALU

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country is composed of nine island groups with a total area of approximately 10 square miles, and an estimated population of 10,300. The Church of Tuvalu, which has historic ties to the Congregational Church and other churches in Samoa, has the largest number of followers. There are no official figures on religious membership; however, government officials estimate membership is as follows: Church of Tuvalu, 91 percent; Seventh-Day Adventists, 3 percent; Baha'i, 3 percent; Jehovah's Witnesses, 2 percent; and Catholic, 1 percent. There are also smaller numbers of Muslims, Baptists, members of the Church of Jesus Christ of Latter-Day Saints (Mormons), and atheists.

All nine island groups have traditional chiefs who are members of the Church of Tuvalu. Most followers of other religions or denominations are found in Funafuti, the capital, with the exception of the relatively large proportion of followers of the Baha'i Faith on Nanumea Island.

There are a number of active Christian missionary organizations representing some of the same religious faiths practiced in the country.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion, and the Constitution provides for separation of church and state. However, in practice government functions at the national and island council levels, such as the opening of Parliament, often include Christian prayers, clergy, or perspectives.

Missionaries practice without specific restrictions.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

In 2001 the country's sole radio station was sold to a private owner who charges all churches for radio broadcasting time except for daily morning devotions. The Church of Tuvalu, the largest and most popular church, continues to conduct the morning devotion program.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Interfaith relations generally are amicable, but reportedly there is a degree of social intolerance for non-Church of Tuvalu activities, particularly on some outer islands. Members of the Church of Tuvalu dominate most aspects of social and political life in the country, given that they comprise over 90 percent of the population.

There are no ecumenical movements.

## SECTION IV. U.S. GOVERNMENT POLICY

Although the U.S. Government does not maintain a resident embassy in the country, the U.S. Ambassador to Fiji also is accredited to the Government. Representatives of the U.S. Embassy in Fiji visit periodically to discuss religious freedom issues with the Government in the overall context of the promotion of human rights. Embassy officials also meet with representatives of the religious communities and non-governmental organizations that have an interest in religious freedom. The U.S. Embassy actively supports efforts to improve and expand governmental and societal awareness of and protection for human rights, including the right to freedom of religion.

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**VANUATU**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by the report, and government policy continued to contribute to the generally free practice of religion.

Although traditions of communal decisionmaking at times conflict with the introduction of new churches in rural communities, government officials use modern law and traditional authority to maintain amicable relations among established and new churches. Both government policy and the strength of traditional authority figures contribute to the religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country is an island nation, covering approximately 4,707 square miles; its population is approximately 183,000. The great majority of the population belongs to Christian churches, although many combine their Christian faith with some pre-Christian cultural practices. Church membership primarily is Presbyterian (approximately 48 percent), Roman Catholic (15 percent), and Anglican (12 percent). Another 30 percent are members of the Church of Christ, the Apostolic Church, the Assemblies of God, or the Seventh-Day Adventist Church. The John Frum Movement, a political party that also is an indigenous religious movement, is centered on the island of Tanna and includes less than 5 percent of the population. Muslims, members of Jehovah's Witnesses, and the Church of Jesus Christ of Latter-Day Saints (Mormons) reportedly also are active. There are believed to be members of other religions within the foreign community who are free to practice their religions, but they are not known to proselytize or hold public religious ceremonies.

Missionaries representing several Western churches brought Christianity to the country in the 19th and early 20th centuries. Some foreign missionaries continue this work; however, the clergy of the established churches now primarily are indige-

nous. Missionaries represent the Church of Christ, Presbyterians, Seventh-Day Adventists, Anglicans, and Roman Catholics. Missionary activity includes the Summer Institute of Linguistics, which translates the New Testament into indigenous languages.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The preamble of the Constitution refers to a commitment to traditional values and Christian principles; however, the Constitution also provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

In 1995 in response to concerns expressed by some established churches about the activities of new missionary groups, such as the Holiness Fellowship, Jehovah's Witnesses, and the Church of Jesus Christ of Latter-Day Saints, Parliament passed the Religious Bodies Act, which requires religious organizations to register with the Government. A few churches have registered voluntarily under the act. Some churches were concerned that the legislation would have a chilling effect on missionary activity. However, although Parliament has made no effort to repeal the act, it remains dormant; two of the new missionary groups most likely to be affected reported that the legislation did not inhibit their religious practices during the period covered by this report.

The Government interacts with churches through the Ministry of Home Affairs and the Vanuatu Christian Council. Customarily, government oaths of office are taken on the Bible. The Government provides some financial help for the construction of churches for Vanuatu Christian Council members, provides grants to church operated schools, and pays teachers' salaries at church operated schools that have been in existence since the country's independence in 1980. These benefits are not available to non-Christian religious organizations. Government schools also schedule time each week for religious education conducted by representatives of council churches, using materials designed by those churches. Students whose parents do not wish them to attend the class are excused. Non-Christian religions are not permitted to teach their religions in the public schools.

Aside from the activities of the Ministry of Home Affairs, use of government resources to support religious activities is not condoned (although there is no specific law prohibiting such support). If a formal request is given to the Government and permission is granted, governmental resources may be used. The Ombudsman's Office investigated the Minister of Health for allegedly using his office and stationery to solicit contributions for the John Frum Movement.

The Government does not attempt to control missionary activity.

There are no government-sponsored ecumenical activities.

### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

In general there are amicable relations between the religious communities; however, some churches and individuals object to the missionary activities of nontraditional denominations and continue to suggest that they be curtailed. There continues to be pressure to reinstate controls.

In rural areas, traditional Melanesian communal decisionmaking predominates. If a member of the community proposes to introduce a significant change within the community, such as the establishment of a new church, the chief and the rest of the community must agree. If a new church is established without community approval, the community views the action as a gesture of defiance by those who join the new church and as a threat to community solidarity. However, subsequent friction generally has been resolved through appeals from traditional leaders to uphold individual rights.

Religious representation at national events is organized through the Vanuatu Christian Council. Ecumenical activities of the council are limited to the interaction of its members.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting of human rights.

### VIETNAM

Both the Constitution and government decrees provide for freedom of worship; however, the Government continued to restrict significantly those publicly organized activities of religious groups that were not recognized by the Government or that it declared to be at variance with state laws and policies. The Government generally allowed persons to practice individual worship in the religion of their choice, and participation in religious activities throughout the country continued to grow significantly. However, restrictions on the hierarchies and clergy of religious groups remained in place, and the Government maintained supervisory control of the recognized religions, in part because the Communist Party (CPV) fears that not only organized religion but any organized group outside its control or supervision may weaken its authority and influence by serving as political, social, and spiritual alternatives to the authority of the central Government.

Religious groups faced difficulties in training and ordaining clergy, and conducting educational and humanitarian activities. Religious figures encountered the greatest restrictions on their activities when they engaged in activities that the CPV perceived as political activism and a challenge to its rule. There were credible reports that in 1999, 2000, and 2001 Hmong Protestant Christians in several northwestern villages were forced to recant their faith. Montagnards also were forced to recant their faith during the period covered by this report. The penal code, as amended in 1997, established penalties for offenses that are defined only vaguely, including "attempting to undermine national unity" by promoting "division between religious believers and nonbelievers." In some cases, particularly involving Hmong Montagnard Protestants and Hoa Hao followers, when authorities charged persons with practicing religion illegally, they used provisions of the penal code that allowed for jail terms of up to 3 years for "abusing freedom of speech, press, or religion." There were reports that officials fabricated evidence, and that some of the provisions of the law used to convict religious prisoners contradicted international instruments such as the Universal Declaration of Human Rights. According to credible reports, the police arbitrarily detained persons based on their religious beliefs and practice, particularly in the mountainous ethnic minority areas. However, police abuses of unrecognized Protestants in the Central Highlands in part were related to the independence movement actively espoused by some Protestant groups.

The Government controlled the administrative process leading to the creation of official organizations for the major sanctioned religions, including the naming of their officers. In some cases, (most notably with the Hoa Hao, Cao Dai, and Buddhist religions), some former leaders of the nonofficial pre-1975 organizations, as well as many believers, rejected the official organizations.

Overall, there were some improvements in the status of respect for religious freedom during the period covered by this report. Official government recognition is required for all religious groups (as well as for social organizations) to operate legally; those without official status, especially certain sects and denominations of Buddhists, Protestants, Hoa Hao, and others, operated illegally and at their own risk. Oversight of recognized religions and harassment of non recognized religious followers varied from locality to locality, apparently not entirely as a matter of national policy. These restrictions were particularly harsh in some border provinces during the reporting period, although religious practice and observance became easier for worshipers in other parts of the country. During the period covered by this report, members of unrecognized religious groups were beaten, arrested, and detained by the authorities. In April 2001, the Government officially recognized the Southern Evangelical Church of Vietnam (SECV). However, following ethnic unrest in February 2001 in the Central Highlands provinces of Gia Lai and Dak Lak, the Government took action against Protestant ethnic minorities whom it suspected of participating in unauthorized political activities. Many of these Protestant ethnic minorities, however, did not belong to recognized denominations, and were not protesting for religious reasons, but rather were protesting against the loss of tradi-

tional homelands to recent migrants, mostly ethnic Vietnamese, and abusive police treatment in the provinces. The authorities detained several Protestant leaders and security forces harassed some local Christians. Some ethnic minority Protestants reportedly were forced or pressured to recant their faith, especially those suspected of belonging to a Protestant group that advocated political autonomy for the region. Foreign diplomats visited the Central Highlands several times during the period covered by this report, although the provinces continued to provide "escorts" and plainclothes "security." The Government continued to permit increased, but supervised access to these provinces by diplomats, nongovernmental organizations (NGOs), and other foreigners, making it somewhat difficult to verify conditions in those areas. Police routinely questioned persons who advocated non-mainstream religious views and arbitrarily detained persons based on their religious beliefs and practices. Groups of Protestant Christians, who were worshipping in house churches in ethnic minority areas, arbitrarily were subjected to detention and harassment by local officials who occasionally broke up unsanctioned religious meetings. Authorities also imprisoned persons for practicing religion "illegally" by using provisions of the penal code that allow for jail terms of up to 3 years for "abusing freedom of speech, press, or religion." The estimated number of religious prisoners and detainees exceeds 40 persons.

The relationship among religions in society generally is amicable. In various parts of the country, there were modest levels of cooperation and dialog between Catholics and Protestants, and also between Buddhists and Cao Dai. Religious figures from most major recognized religions participated in official bodies such as the Vietnam Fatherland Front and the National Assembly.

The U.S. Embassy in Hanoi and the U.S. Consulate General in Ho Chi Minh City (HCMC) maintained an active and regular dialog with senior- and working-level government officials to advocate greater religious freedom. The U.S. Ambassador and other U.S. officials discussed concerns about the detention and arrest of religious figures and other restrictions on religious freedom with cabinet ministers, Communist Party officials, provincial officials, and others. Intervention by the U.S. Government may have prompted the Government to recognize additional Protestant denominations, and to moderate treatment of ethnic minority Protestants in the Central Highlands, and to promote some liberalization of Government treatment of other religions.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 122,000 square miles, and its population is approximately 80 million. The Government officially recognizes one Buddhist organization (Buddhists make up approximately 50 percent of the population), one Roman Catholic organization (Catholics make up approximately 8 percent of the population), several Cao Dai organizations (Cao Dai followers make up 1.5 percent of the population), one Hoa Hao organization (Hoa Hao followers make up 1.5 percent of the population), two Protestant organizations (Protestants make up 1.2 percent of the population), and one Muslim organization (Muslims make up 0.1 percent of the population). Approximately 38 percent of citizens consider themselves nonreligious.

Among the country's religious communities, Buddhism is the dominant religious belief. Many Buddhists practice an amalgam of Mahayana Buddhism, Taoism, and Confucian traditions that sometimes is called the country's "triple religion." Some estimates suggest that more than half of the population is at least nominally Buddhist. Buddhists typically visit pagodas on festival days, and have a world view that is shaped in part by Buddhism, but in reality these beliefs often rely on a very expansive definition of the faith. Many individuals, especially among the ethnic majority Kinh, who may not consider themselves Buddhist, nonetheless follow traditional Confucian and Taoist practices and often visit Buddhist temples. One prominent Buddhist official has estimated that only about 30 percent of Buddhists are devout and practice their faith regularly. The Office of Religious Affairs uses a much lower estimate of 7 million practicing Buddhists. Mahayana Buddhists, most of whom are part of the ethnic Kinh majority, are found throughout the country, especially in the populous areas of the northern and southern delta regions. There are fewer Buddhists, proportionately, in certain highland areas, although migration of Kinh to highland areas is changing the distribution somewhat. Mahayana Buddhist monks in the country historically have engaged on occasion in political and social issues, most notably during the 1960s, when some monks campaigned for peace and against perceived injustices in the former Republic of Vietnam. A Khmer ethnic minority in the south practices Theravada Buddhism. Numbering just over 1 million persons, they live almost exclusively in the Mekong Delta.

There are an estimated 6 to 7 million Roman Catholics in the country (approximately 8 to 9 percent of the population). French missionaries introduced the religion in the 17th century. In the 1940's, priests in the large Catholic dioceses of Phat Diem and Bui Chu, to the southeast of Hanoi, organized a political association with a militia that fought against the Communist guerrillas until defeated in 1954. Hundreds of thousands of Catholics from the northern part of the country fled to HCMC (then called Saigon) and to the surrounding areas ahead of the 1954 partition of North and South. Catholics live throughout the country, but the largest concentrations remain in the southern provinces around HCMC and in the provinces just southeast of Hanoi. Catholicism has revived in northern regions. In recent years, congregations in the cities of Hanoi and Haiphong and many nearby provinces have rebuilt churches and reinstated religious services.

Recently several bishoprics that had been vacant for a number of years were filled by the Vatican, in coordination with the Government. In June 2000, a bishop was named for Da Nang province, and in August 2000, a bishop was named for Vinh Long province. During a Vatican delegation's visit in June 2001, the Government reportedly agreed to the Vatican's appointment of three additional bishops: a new bishop for Bui Chu Diocese; an auxiliary bishop for HCMC; and a coadjutor bishop for Phan Thiet. There are reports of some narrowing of differences between the church and the Government over three remaining vacancies—a bishop of Hung Hoa Diocese, a coadjutor bishop of Hanoi, and a bishop of Haiphong Diocese. Provincial authorities have explicit veto power over the transfer of priests and the assignment of newly ordained priests, and exercised that power on at least three occasions during the period covered by this report. Government officials nonetheless have stated that they "view the Catholic Church as a positive force."

There are at least 1,000,000 Protestants in the country (over 1.2 percent of the population), with more than half of these persons belonging to a large number of unregistered evangelical "house churches" that operate in members' homes or in rural villages, many of them in ethnic minority areas. Protestantism, particularly the house church movement in ethnic minority areas, is the fastest growing religion in the country. Perhaps as many as 175,000 or more of the followers of house churches are Pentecostals, who celebrate "gifts of the spirit" through charismatic forms of worship. Protestantism in the country dates from 1911, when an American missionary from the Christian and Missionary Alliance arrived in Da Nang. Reports from believers indicated that Protestant church attendance continued to grow during the period covered by this report, especially among the house churches, despite continued government restrictions on proselytizing activities. Based on believers' estimates, two thirds of Protestants are members of ethnic minorities, including ethnic Hmong, Tai, and other ethnic minorities (an estimated 200,000 followers) in the northwest provinces and some 350,000 members of ethnic minority groups of the Central Highlands (Ede, Jarai, Bahnar, and Koho, among others). The house church movement in the northwest was sparked in part by Hmong language radio broadcasts from the Philippines beginning in the late 1980's. In more recent years, missionaries, mostly ethnic Hmong, have increased evangelism in the area.

The Cao Dai religion was founded in 1926 in the southern part of the country. The Office of Religious Affairs estimates that there are 1.1 million Cao Dai. Some NGO sources estimate that there are from 2 to 3 million followers. Cao Dai groups are most active in Tay Ninh Province, where the Cao Dai "Holy See" is located, and in HCMC and the Mekong Delta. There are 13 separate groups within the Cao Dai religion; the largest is the Tay Ninh sect which is comprised of more than half of all Cao Dai believers. The Cao Dai religion is syncretistic, combining elements of many faiths. Its basic belief system is influenced strongly by Mahayana Buddhism, although it recognizes a diverse array of persons who have conveyed divine revelation, including Siddhartha, Jesus, Lao-Tse, Confucius, and Moses. During the 1940's and 1950's, the Cao Dai participated in political and military activities. Their opposition to the Communist forces until 1975 was a factor in government repression after 1975. A small Cao Dai sect, the Thien Tien sect, was recognized in 1995. The Tay Ninh Cao Dai sect was granted legal recognition in 1997.

The Hoa Hao, considered by some of its followers to be a "reform" branch of Buddhism, was founded in the southern part of the country in 1939. Hoa Hao is a largely privatistic faith, emphasizing private acts of worship and devotion, that does not have a priesthood and rejects many of the ceremonial aspects of mainstream Buddhism. According to the Office of Religious Affairs, there are 1.3 million Hoa Hao followers; affiliated expatriate groups estimate that there may be up to 3 million followers. Hoa Hao followers are concentrated in the Mekong Delta, particularly in provinces such as An Giang, where the Hoa Hao were dominant as a political and military as well as a religious force before 1975. Elements of the Hoa Hao were

among the last to surrender to Communist forces in the Mekong Delta in the summer of 1975.

Mosques serving the country's small Muslim population, estimated at 65,000 persons, operate in western An Giang province, HCMC, Hanoi, and provinces in the southern coastal part of the country. The Muslim community mainly is composed of ethnic Cham, although in HCMC and An Giang province it includes some ethnic Vietnamese and migrants originally from Malaysia, Indonesia, and India. About half of the Muslims in the country practice Sunni Islam. Sunni Muslims are concentrated in five locations around the country. Approximately 15,000 live in Tan Chau district of western An Giang province which borders Cambodia. Nearly 3,000 live in western Tay Ninh province, which also borders Cambodia. More than 5,000 Muslims reside in HCMC, with 2,000 residing in neighboring Dong Nai province. Another 5,000 live in the south central coastal provinces of Ninh Thuan and Binh Thuan. Approximately 50 percent of Muslims practice Bani Islam, a type of Islam unique to the ethnic Cham who live on the central coast of the country. Bani clerics fast during Ramadan; ordinary Bani followers do not. The Bani Koran is an abridged version of only about 20 pages, written in the Cham language. The Bani also continue to participate in certain traditional Cham festivals, which include prayers to Hindu gods and to traditional Cham "mother goddesses." Both groups of Muslims appear to be on cordial terms with the Government and are able to practice their faith freely. They have limited contact with foreign Muslim countries.

There are a variety of smaller religious communities not recognized by the Government, the largest of which is the Hindu community. Approximately 50,000 ethnic Cham in the south-central coastal area practice a devotional form of Hinduism. Another 4,000 Hindus live in HCMC; some are ethnic Cham, but most are Indian or of mixed Indian-Vietnamese descent.

There are estimated to be from several hundred to 2,000 members of the Baha'i Faith, largely concentrated in the south; a number of whom are foreign-born. Prior to 1975, there were an estimated 130,000 believers, according to Baha'i officials.

There are several hundred members of the Church of Jesus Christ of Latter-Day Saints (Mormons) who are spread throughout the country but live primarily in HCMC and Hanoi.

Of the country's approximately 80 million citizens, 14 million or more reportedly do not practice any organized religion. Some sources strictly define those considered to be practicing Buddhists, excluding those whose activities are limited to visiting pagodas on ceremonial holidays. Using this definition, the number of nonreligious persons would be much higher, perhaps as high as 50 million. No statistics are available on the level of participation in formal religious services, but it generally is acknowledged that this number has continued to increase from a relatively low base in the early 1990s.

Ethnic minorities constitute approximately 14% of the overall population. The minorities historically have practiced sets of traditional beliefs different from those of the ethnic majority Kinh. Except for the Khmer, most minorities are less likely to be Buddhist and are more likely to be Protestant than the majority Kinh.

Several dozen foreign missionary groups throughout the country are engaged in developmental, humanitarian, educational, and relief efforts. These organizations legally are registered as NGOs providing humanitarian assistance. Foreign missionaries legally are not permitted to proselytize or to carry out religious activities. In order to work in the country, they must be registered with the Government as an international NGO.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

Both the Constitution and government decrees provide for freedom of belief and worship as well as of non-belief; however, the Government continued to restrict significantly those organized activities of religious groups that it declared to be at variance with state laws and policies. The Government generally allowed persons to practice individual worship freely and to participate in public worship under the leadership of any of the major recognized religions—the Buddhist, Roman Catholic, Protestant, Hoa Hao, Cao Dai, and Muslim religions. Participation in religious activities throughout the country continued to grow significantly. However, the Government used regulations to control closely religious hierarchies and organized religious activities. While the Office on Religious Affairs oversees recognized religious bodies and is tasked with protecting their rights, in practice there are few effective legal remedies for violations of religious freedom committed by government officials. The constitutional right of freedom of belief and religion is interpreted and enforced unevenly. In some areas, such as parts of HCMC, local officials allow relatively wide

latitude to believers; in other provinces in the north, the Central Highlands, and the central coast, religious believers are subject to significant harassment because of the lack of effective legal enforcement and are subject to the whims of local officials in their respective jurisdictions. For example, some religious groups that lacked registration were subjected to local government harassment. This particularly was true for Protestant and United Buddhist Church of Vietnam (UBCV) supporters. There are no known cases in recent years in which the courts acted to interpret laws so as to protect a person's right to religious freedom.

The secular Government does not favor a particular religion. The prominent traditional position of Buddhism does not affect religious freedom for others adversely, including those who wish not to practice a religion. The Constitution expressly protects the right of "non-belief" as well as "belief." The Government requires religious and other groups to register and uses this process to control and monitor religious organizations, as it does with all social organizations. The Government officially recognizes Buddhist, Roman Catholic, Protestant, Hoa Hao, Cao Dai and Muslim religious organizations. However, some leaders of Buddhist, Protestant, and Hoa Hao organizations and many believers of these religions do not recognize or participate in the government-approved associations. Some leaders of the pre-1975 Buddhist and Hoa Hao religious bodies unsuccessfully have requested official recognition of their organizations. Their activities, and those of the unregistered Protestant "house churches" are considered illegal by the authorities, and they sometimes experience harassment as a result. Under the law, only those activities and organizations expressly sanctioned by the Government are deemed to be legal. In order for a group to obtain official recognition, it must obtain government approval of its leadership, its structure, and the overall scope of its activities. Recognized religious groups in principle are allowed to open, operate, and refurbish places of worship, to train religious leaders, and to obtain permission for the publication of materials.

Officially recognized religious organizations are able to operate openly in most parts of the country, and followers of these religions are able to worship without government harassment. Officially recognized organizations must consult with the Government about their religious and administrative operations, although not about their religious tenets of faith. While the Government does not directly appoint the leadership of the official religious organizations, to varying degrees it plays an influential role in shaping the process of selection and must approve investitures of religious titles. The Government's influence varies by level of the title, religion, and local authority. For example the power to approve a religious office holder below the provincial level lies with the provincial government. Higher level officials receive much closer scrutiny. Decree 26/1999 explicitly gives the Government the power to approve all holders of religious offices, and the Government effectively, but not explicitly, has veto power. In general, religious bodies are confined to dealing specifically with spiritual and organizational matters. Over the past several years, the Government has accorded much greater latitude to followers of recognized religious organizations, and the majority of the country's religious followers have continued to benefit from this development. The Government has held conferences to discuss and publicize its religious decrees. The Religious Affairs Committee has met with house church leaders from HCMC and the Central Highlands.

Religious organizations must register their regular activities with the authorities annually. Religious organizations must obtain government permission to hold training seminars, conventions, and celebrations outside the regular religious calendar; to build or remodel places of worship; to engage in charitable activities or to operate religious schools; and to train, ordain, promote, or transfer clergy. They also must obtain government permission for large mass gatherings, as do nonreligious groups. Many of these restrictive powers lie principally with provincial or city people's committees, and local treatment of religious persons varies widely. In April 2001 the Government recognized the SECV. The SECV was able to elect its own officers, apparently free of government control. The newly recognized church is represented in all of the southern provinces of the country. The SECV is descended from churches associated with the Christian and Missionary Alliance (CMA). Some additional "underground" congregations that were once affiliated with the CMA reportedly joined the SECV. However, it appeared that the Government was allowing few former CMA churches in the Central Highlands to join the SECV during the period covered by this report. The northern branch of the Evangelical Church of Vietnam (ECVN), which also is a derivative of the CMA, has been recognized since 1963 and officially has 15 approved churches in the northern part of the country. A number of other Protestant groups were engaged in discussions with the Government on registration during the period covered by this report.

The Government turned down an attempt by the Baha'i Faith to register during the period covered by this report because the Baha'i had not yet met the administra-

tive criteria for registration. It is unknown which specific criteria the Baha'is were unable to satisfy; however, it is believed that this was not a permanent refusal.

The degree of Government control of church activities varied greatly among localities. In some areas, especially in the south, Catholic churches operated kindergartens and engaged in a variety of humanitarian projects. Buddhist groups engaged in humanitarian activities in many parts of the country. Foreign missionaries and religious organizations are not allowed to operate as such in the country, but many are registered as NGOs with the Government to carry out humanitarian assistance. They may not engage in overt proselytization.

Most Catholic churches are allowed to provide religious education to children. Children also are taught religion at Khmer Buddhist pagodas and at mosques outside regular classroom hours.

Because of the lack of meaningful due process in the legal system, the actions of religious adherents are subject to the discretion of local officials in their respective jurisdictions. There are no meaningful punishments for government officials who do not follow laws protecting religious practice in particular. Because the court system is subservient to the Communist Party and its political decisions, and because persons are not charged specifically with religious offenses, there are no known recent cases in which the courts acted to interpret laws so as to protect a person's right to religious freedom.

There are no specific religious national holidays.

The Office of Religious Affairs occasionally hosts meetings for leaders of diverse religious traditions to address religious matters.

#### *Restrictions on Religious Freedom*

The Government continued to maintain broad legal and policy restrictions on religious freedom, although in many areas, Buddhists, Catholics, Protestants, Hoa Hao, and Cao Dai reported an increase in religious activity and observance. Operational and organizational restrictions on the hierarchies and clergy of most religious groups remained in place. Religious groups faced difficulty in obtaining teaching materials, expanding training facilities, publishing religious materials, and expanding the number of clergy in religious training in response to increased demand from congregations, although these types of restrictions appeared to be easing.

The Government continued to ban and actively discourage participation in what it regards as illegal religious groups, including the UBCV and Protestant house churches, as well as the unapproved Hoa Hao groups. The withholding of official recognition of religious bodies is one of the means by which the Government actively intervenes to restrict religious activities by some believers. Religious and organizational activities by UBCV monks are illegal, and all UBCV activities outside of private temple worship are proscribed. Most evangelical house churches do not attempt to register because they believe that their applications would be denied, or because they want to avoid any semblance of government control.

The Government requires all Buddhist monks to work under the officially recognized Buddhist organization, the Central Buddhist Church of Vietnam (CBS). The Government influenced the selection of the leadership of the CBS, excluding leaders and supporters of the pre-1975 Buddhist organization. The Government also restricted the number of Buddhist monks that may be trained. Khmer Theravada Buddhists are allowed a somewhat separate identity with the CBS. The Government continued to oppose efforts by the unrecognized UBCV to operate independently, and tension between the Government and the UBCV continued. Several prominent UBCV monks, including Thich Huyen Quang and Thich Quang Do, continued to face Government restrictions on their civil liberties during the period covered by this report.

Buddhist UBCV monks in Hue also continued to complain that petitions to local authorities for permission to repair or renovate pagodas go unanswered. The UBCV monks in Hue complain that the CBS has "donated" Buddhist properties for Government use. Buddhist believers in Ha Nam province complained that CBS pagoda grounds have been seized in recent years and that their complaints go unanswered. Monks at the One Pillar Pagoda (CBS) in Hanoi have resisted local government efforts to replace them with monks favored by the local government. The Roman Catholic Church continued to face many restrictions on the training and ordination of priests, nuns, and bishops. The Government effectively maintains veto power over Vatican appointments of bishops; however, in practice it has sought to cooperate with the Church in nominations for appointment. The Prime Minister received the Episcopal Council (the grouping of Bishops nationwide) for the first time in December 2001. During the period covered by this report, the Catholic Church hierarchy remained frustrated by government restrictions; but it has learned to accommodate itself to them. A number of clergy reported a modest easing of government control

over church activities in certain dioceses, including in a few churches in Hanoi and HCMC that offer English-language masses for expatriates. The Church was able to engage in religious education, including the education of children, and to perform charitable activities in some geographic areas. Six Roman Catholic seminaries throughout the country had over 800 students enrolled; new seminarians are recruited every 2 years. A seventh seminary has been approved by the Government. All students must be approved by the Government, both upon entering the seminary and prior to their ordination as priests. The Church believes that the number of students being ordained is insufficient to support the growing Catholic population.

Until 2001 approximately 15 ECVN churches in the northern provinces were the only officially recognized Protestant churches. The ECVN has not held an annual meeting or elected new leadership since 1988, reportedly because the Government and the ECVN have been unable to reach consensus on new ECVN leadership. The ECVN operated seminary closed in 1993, although informal training of religious and lay leaders continues. The Government reportedly has rebuffed attempts by largely Hmong house churches to affiliate with the ECVN over the last several years. On April 17, 2001, the former ECVN church building in Vinh, Nghe An province was torn down. The Government had expropriated the building in the 1960's and the congregation since has been meeting in members' homes.

In April 2001, the Government conferred legal recognition on the SECV. This body represents several hundred Protestant churches primarily in the southern part of the country, with representatives from every southern province, including the Central Highlands, where many "house churches" operate. Some SECV churches exist in other large cities such as Da Nang. Officials in the SECV's main HCMC office have stated that gradual progress in improving their church's situation was determined to be preferable to outright confrontation with the Government. Many pastors of Protestant denominations such as the Seventh-Day Adventists, the Mennonites, Baptists, and the Assemblies of God (AOG) still do not wish to join the SECV because of doctrinal differences. The Government still represses the AOG by causing members to lose their jobs, forbidding their children from attending school, or confiscating their property, but it no longer imprisons AOG believers or pastors. It still is unclear to what extent provincial officials will allow the house churches, particularly those whose members are ethnic minorities, to be represented by or to participate in the organization. Because of past government repression of Protestantism, particularly in the Central Highlands, some Protestant pastors in that area are suspicious of the SECV and reportedly do not plan to seek affiliation with it. There are over 400 Protestant congregations in Dak Lak province and a similar number in Gia Lai province in the Central Highlands. So far, however, only 2 congregations in Dak Lak and only 3 in Gia Lai have become legally affiliated with the SECV. It is not known whether the SECV is to be allowed, or would like, to have formal ties to the legally recognized ECVN, based in Hanoi.

The provincial governments restrict Protestant practice in the Central Highlands, particularly among the region's ethnic minorities, such as the Mnong, Ede, Jarai and Bahnar. The provincial governments also restrict Protestant congregations from cooperating on joint religious observances or other activities, although in some localities they were free to do so. Protestant Christmas celebrations in the Central Highlands were allowed in some localities, but prohibited in others. There is substantial networking among Protestant denominations in HCMC, but less networking in the rest of the country. "Underground" churches from pre-1975 denominations generally were reported to have fewer restrictions than those that were established more recently. Provincial officials in Lai Chau, Ha Giang, and other provinces in the north and northwest sometimes attempted to pressure Hmong and other ethnic minority Christians to recant their faith. Some provincial officials reportedly have encouraged Hmong clan elders to convince members of their clans to renounce their faith. Efforts to force Protestants to deny their faith appear to be connected to the CPV's Program 184, designed to reverse the spread of Protestantism in areas where it has been advancing rapidly. Local and provincial officials in these areas circulated official documents urging persons to give up their illegal "foreign" religion and to practice traditional animist beliefs and ancestor worship. Regional and police newspapers printed articles documenting how persons were deceived into following the house church "cults."

The Hoa Hao have faced severe restrictions on their religious and political activities since 1975, in part because of their previous armed opposition to the Communist forces. After 1975 all administrative offices, places of worship, and social and cultural institutions connected to the Hoa Hao faith were closed. Believers continued to practice their religion at home but the lack of access to public gathering places contributed to the Hoa Hao community's isolation and fragmentation. A new official Hoa Hao body, the Hoa Hao Central Buddhist Church (HHCBC), was formed

in 1999. Several leaders of the Hoa Hao community, including several pre-1975 leaders, openly criticized the HHCBC, claiming that it was subservient to the Government, and demanded official recognition of their own Hoa Hao body instead. In February 2000 a group of Hoa Hao believers tried to establish an association independent of the government sanctioned HHCBC. They petitioned the Government for official recognition without success. Some of these persons then protested and were arrested and imprisoned. The group's highest officers continued to be incarcerated in prison or under house arrest at the end of the period covered by this report. However, in June 2001 an estimated 300,000 Hoa Hao believers gathered for a religious festival in An Giang province. The Government restricts the number of clergy that the Hoa Hao can train.

The Government never dissolved the Cao Dai church but placed it under the control of the Vietnam Fatherland Front in 1977. The Government banned several of its essential ceremonies because it considered them to be "superstitious," and it imprisoned and reportedly killed many Cao Dai clergy in the late 1970's. In 1995 the Government recognized the Thien Tien sect of Cao Dai. In 1997 the Cao Dai under government oversight reorganized the religion and set up a new "Management Council" of cooperative Cao Dai priests who drew up a new constitution. When the council rewrote the Cao Dai constitution, it banned certain traditional rituals that the Government deemed "superstitious," including the use of mediums to communicate with spirits. Because the use of mediums was essential to ceremonies accompanying promotion of clerics to higher ranks, the new Cao Dai constitution effectively banned clerical promotions. In December 1999 the Management Council reached agreement with Cao Dai clergy that the Cao Dai church would modify its rituals in a way that would be acceptable to the Government, but maintain enough spiritual direction to be acceptable to Cao Dai principles. As a result, a congress was held in which several hundred Cao Dai clergy were promoted for the first time since 1975. The Cao Dai Management Council has the power to control all of the affairs of the Cao Dai faith, and thereby manages the church's operations, its hierarchy, and its clergy within the

untry. Independent Cao Dai officials oppose the edicts of this council as unfaithful to Cao Dai principles and traditions. It is unknown if any Cao Dai seminary exists, if the Cao Dai want to open one, or if the Government prevented the Cao Dai from opening one.

The Muslim Association of Vietnam was banned in 1975 but reauthorized in 1992. It is the only registered Muslim organization in the country. Association leaders state that they are able to practice their faith, including saying daily prayers, fasting during the month of Ramadan, and making the Hajj to Mecca. At least 55 Muslims journeyed to Mecca for the Hajj in 2001; Saudi Arabia and Dubai paid their travel expenses. In 2002 no Muslims made the Hajj. Muslim sources in the country stated this was because the traditional financial sponsors had curtailed their foreign sponsorships in late 2001, not because of any restriction on travel for the Hajj on the part of the Government.

The Government restricts and monitors all forms of public assembly, including assembly for religious activities; however, on some occasions, large religious gatherings have been allowed, such as the Catholic celebrations at La Vang, and the 2002 Easter sunrise service, which was witnessed by foreign dignitaries in Kon Tum, and which was attended by over 10,000 Protestant worshippers. Attendance at Buddhist festivals and pilgrimage sites has increased dramatically in recent years. The Hoa Hao also have been allowed to hold large public gatherings in An Giang province on certain Hoa Hao festival days, however, before 1975 they were not permitted to hold any large public gatherings. There were no reports that the Government refused permission for festivals it previously permitted. On the anniversary of the death of the Hoa Hao founder, large gatherings were discouraged. In 2001 and 2002, Hoa Hao leaders did not attempt to organize a large independent commemoration; however, several Hoa Hao followers were allowed to travel individually and in small groups to the traditional pilgrimage site to commemorate the anniversary peacefully.

In April 1999, the Government issued a decree on religion that prescribed the rights and responsibilities of religious believers. The religious decree states that persons formerly detained or imprisoned must obtain special permission from the authorities before they may resume religious activities. Religious activities reportedly are not allowed in prisons, nor are visits by religious workers. Some persons previously detained were released and were active in their religious communities during the period covered by this report, including at least two from HCMC.

The Government prohibits proselytizing by foreign missionary groups. Some missionaries visited the country despite this prohibition and carried on informal proselytizing activities. The Government deported some foreign persons for unauthorized

proselytizing, sometimes defining proselytizing very broadly. Other individuals apparently suspected of proselytizing have been unable to renew their visas. Proselytizing by citizens is restricted to regularly scheduled religious services in recognized places of worship. Non-citizens must comply with the law when practicing their religions. In both Hanoi and HCMC, there were Sunday morning Catholic masses conducted in English by local Vietnamese priests for the convenience of foreigners. In both cities, there also were well-publicized Christian worship services for foreigners conducted by foreigners, some of whom were affiliated with religious NGOs, although the legal status of these services is unclear. Muslim services attended by citizens and foreigners took place in both cities.

The Government restricts persons who belong to unofficial religious groups from speaking publicly about their beliefs. It officially requires all religious publishing to be done by the Religious Publishing House, which is a part of the Office of Religious Affairs, or by other government approved publishing houses once the Government approves the proposed items. A range of Buddhist sacred scriptures, Bibles, and other religious texts and publications are printed by these organizations and are distributed openly. The government-sanctioned Hoa Hao Committee has printed 15,000 copies of publications of parts of the Hoa Hao sacred scriptures; however, Hoa Hao believers reported that the Government continued to restrict the distribution of the full scriptures, specifically the poetry of the Founder. However, the official Hoa Hao Representative Committee cited a lack of funds, not government restrictions, as the reason why the Hoa Hao scriptures had not yet been published in full. The Muslim Association reportedly was able to print enough copies of the Koran in 2000 to distribute one to each Muslim believer in the country.

The Government allows religious travel for some, but not all, religious persons; Muslims are able to undertake the Hajj, and many Buddhist and Catholic officials also have been able to travel abroad. For example, groups of Buddhist monks and nuns have traveled to Burma to study Theravada Buddhism. However, religious believers who do not belong to officially recognized religions sometimes are not approved for foreign travel. For example, the Buddhist monk Thich Thai Hoa has been refused permission to travel outside the country on several occasions, including to New York in September 2000. However, some ministers of "underground" Protestant churches have been able to travel overseas since early 2001. Like other citizens, religious persons who travel abroad sometimes are questioned about their activities upon their return. Upon return from international travel, citizens, including clergy, citizens and clergy sometimes are required to surrender their passports. The Government allowed many Catholic bishops and priests to travel freely within their dioceses and allowed greater, but still restricted, freedom for travel outside of these areas, particularly in many ethnic areas. Local officials reportedly discourage priests from entering Son La and Lai Chau provinces.

Religious affiliation is indicated on citizens' national identification cards and on "family books," which are household identification documents. In practice, many citizens who consider themselves religious do not indicate this on their identification card, and government statistics list them as nonreligious. The Government does not designate persons' religions on passports. The Government allows, and in some cases encourages, links by officially recognized religious bodies with coreligionists in other countries if the religious groups are approved by the Government. The Government actively discourages contacts between the UBCV and its foreign Buddhist supporters. Contacts between Vatican authorities and the domestic Catholic Church occur routinely, and the Government maintains a regular, active dialog with the Vatican on a range of issues including organizational activities, the prospect of establishing diplomatic relations, and a possible papal visit. However, contacts between some illegal Protestant organizations such as the house churches and their foreign supporters are discouraged. Efforts to block contact between illegal Protestant organizations and overseas contacts are not as vigorous or universal as efforts to block contact between the UBCV and its overseas supporters appeared to be.

Adherence to a religious faith generally does not disadvantage persons in civil, economic, and secular life, although it likely would prevent advancement to the highest government and military ranks. Attainment of senior military rank is not a prerequisite for senior government or private sector employment. The military does not have a chaplaincy. Avowed religious practice has been a bar to membership in the Communist Party, although Party sources indicated that thousands of the 2.4 million Communist Party members are religious believers. Party and government officials routinely visited pagodas and temples and sometimes even attended Christian church services.

The religious decree of April 1999 stated that no religious organization can reclaim lands or properties taken over by the State following the end of the 1954 war against French rule and the 1975 Communist victory in the south. Despite this

blanket prohibition, the Government has returned some church properties confiscated since 1975. The People's Committee of HCMC returned two properties to the Catholic Church. On one of the properties, in Cu Chi District, the church is constructing an HIV/AIDS hospice to be operated by the Daughters of Charity of Saint Vincent de Paul. The other property is now a church-operated orphanage. One of the vice chairmen of the official Buddhist Sangha stated that approximately 30 percent of Buddhist properties confiscated in HCMC have been returned since 1975, and from 5 to 10 percent of all Buddhist properties confiscated in the south have been returned. However, UBCV leaders stated that their properties were not returned. The former Protestant seminary in Nha Trang is used for secular purposes, as is a former Protestant seminary in Hanoi. Most Cao Dai and Hoa Hao properties also have not been returned, according to church leaders. The official Representative Committee for the Hoa Hao stated that the Government returned 12 previously confiscated Hoa Hao pagodas in Dong Thap province during the period covered by this report.

The Government does not permit religious instruction in public schools; however, it does permit clergy to teach at universities in subjects in which they are qualified. Several Catholic nuns and at least one Catholic priest teach at HCMC universities. They are not allowed to wear religious dress when they teach or to identify themselves as clergy. Catholic religious education, on weekends or evenings, is permitted in most areas and has increased in recent years, most notably in HCMC. Khmer Theravada Buddhists and Cham Muslims regularly hold religious and language classes outside of normal classroom hours in their respective pagodas and mosques.

In March 2001, teachers at a public primary school in Ban Don district reportedly ordered all the Christian students to renounce Christ. When the students refused, they were suspended from school and not allowed to return until further notice. Local sources alleged that authorities in many localities in Dak Lak prohibited Protestant children from attending school past the third grade. By the end of the period covered by this report, it was unknown whether or not the students returned. Discrimination of this sort has been denied by local authorities, but such reports still persist.

#### *Abuses of Religious Freedom*

A significant number of religious believers experience harassment because they operate without legal sanction. Local officials have repressed unregistered Protestant believers in the northwest provinces, the Central Highlands, and other areas, through the demolition of churches and through pressure to renounce their religious beliefs. Some UBCV leaders continued to be harassed and had their rights severely restricted by the Government. Officials also have detained or otherwise harassed some persons, primarily Buddhists and ethnic majority Kinh, who have used purported spiritual activities or powers to cheat and deceive believers. Police authorities routinely question persons who hold dissident religious or political views. Credible reports suggest that police arbitrarily detained, beat, and harassed an unknown number of persons based on their religious beliefs and practice, particularly in mountainous ethnic minority areas.

The penal code establishes penalties for offenses that are defined only vaguely, including "attempting to undermine national unity" by promoting "division between religious believers and non-believers." In some cases, particularly involving Hmong Protestants, authorities have used provisions of the penal code that allow for jail terms of up to 3 years without trial for "abusing freedom of speech, press, or religion." There have been ongoing complaints that officials fabricated evidence and that some of the provisions of the law used to convict religious prisoners contradict the right to freedom of religion.

A 1997 directive on administrative probation gives national and local security officials broad powers to detain and monitor citizens and control where they live and work for up to 2 years if they are believed to be threatening "national security." In their implementation of administrative probation, some local authorities held persons under conditions resembling house arrest. The authorities use administrative probation as a means of controlling persons whom they believe hold dissident opinions. Some local authorities cite "abuse of religious freedom" as a reason to impose administrative probation.

The authorities in the northwest provinces reportedly restricted the religious freedom of evangelical Protestants, including ethnic Hmong and ethnic Tai. The growth of Protestant house churches in ethnic minority areas continued to lead to tensions with local officials, particularly in several border provinces. Several leaders of these churches, especially among the Hmong in the northwest and among ethnic minority groups in the Central Highlands, reportedly were harassed or detained. The underground nature of the house churches, notably among ethnic minorities, has contrib-

uted to greater repression of these groups. There are unconfirmed reports that house churches are tolerated or ignored in some places, but the extent and provincial locations in which this occurs are unknown. Provincial officials in certain northwest provinces reportedly do not allow churches or pagodas to operate. Reports of arrest and imprisonment for nonviolent religious practice continue to persist, especially in large groups in contravention of local government edicts, because national security and national solidarity provisions in the Constitution override guarantees of religious freedom.

On numerous occasions throughout the country, small groups of Protestants belonging to house churches were subjected to arbitrary detention after local officials broke up unsanctioned religious meetings. There were many reported instances, particularly in remote provinces, in which Protestant house church followers were punished or fined by local officials for participation in peaceful religious activities such as worship and Bible study. According to credible reports from the Central Highlands, some local officials extorted goods, livestock, and money from Protestant believers. There were reports from the northwest and the Central Highlands of local officials driving ethnic minority persons out of their home villages for refusing to renounce their Protestant faith. The extent to which religious affiliation or other factors such as ethnicity or political activism caused these reported abuses cannot be determined.

In December 1999, Nguyen Thi Thuy, a Protestant house church leader in Phu Tho province, was sentenced to 1 year in prison after police raided her home (where she was leading a Bible study group). In March 2000, in what is believed to be the first case of its kind, a defense lawyer appealed Thuy's conviction by arguing that her arrest in her home, while practicing her faith, violated her constitutional right to religious freedom. A judge dismissed her appeal, and her 1-year sentence was upheld. She was released in September 2000 after serving 11 months of her 12-month sentence. An ethnic Hre church leader, Dinh Troi, was detained in Quang Ngai province in 1999. It is believed that he still was imprisoned at the end of the period covered by this report.

Despite the Government's restrictions, Protestant worship continued to grow. Repression of Protestantism in the Central Highlands is complicated by the presence of a group, the "Dega Protestants," that advocates a separate state for the indigenous persons who live in the area, particularly in southern Gia Lai and northwestern Dak Lak provinces. The Dega Protestants have links to a group residing in the U.S. that has proclaimed itself a Dega "government-in-exile." The Dega Protestants' relationship with the more apolitical Protestant believers in the area has deteriorated. The Dega Protestants reportedly have made threats against certain mainstream Protestant pastors. Local authorities use this split to try to isolate the Dega Protestants particularly in southern Gia Lai and northwestern Dak Lak provinces. A small number of Protestant pastors in this area reportedly support the establishment of an autonomous "Dega" state; however, the more orthodox majority of Protestant pastors in the Highlands appear not to support such political change. In February and March 2001, ethnic minority groups apparently encouraged or organized by the Dega Protestants held widespread demonstrations in the Central Highlands provinces of Gia Lai and Dak Lak in part to protest the loss of traditional homelands to recent migrants—who mostly were ethnic Vietnamese—and to protest abusive police treatment in the provinces. On March 10, 2001, at a Protestant church in Plei Lau village in Gia Lai province, hundreds of soldiers and police clashed with hundreds of ethnic minority Protestants. Two or three soldiers reportedly shot and killed a civilian who had threatened another soldier with a spear. According to unconfirmed reports, in the immediate aftermath of the February/March 2001 demonstrations, between 1 and 5 persons were killed as a result of police actions, and allegedly hundreds were injured in beatings by authorities. Hundreds of persons in Dak Lak and Gia Lai provinces, including Ama Ger and Ama Bion, two local leaders in Dak Lak, were detained in February and March 2001 and released days, weeks, or even months later. Local police reportedly beat many of the detainees severely while they were in custody. Local reports stated that approximately 100 persons continue to be held without trial and about 40 persons have "disappeared." Many persons reportedly went into hiding, and over 1000 fled to Cambodia. At least 26 persons were tried and sentenced to up to 12 years imprisonment by provincial courts. Although their adherence to Dega Protestantism complicates the issue, these persons were charged with "inciting social unrest" or other charges not related to any religious activities. Although the Government eventually allowed foreign observers into the area several times, each visit was monitored closely by government officials, police, or plainclothes security agents posing as "local newspaper reporters," making an independent assessment of the situation in the area impossible.

Protestants also reported that during the period covered by this report, authorities in the Central Highlands and in mountainous areas of neighboring coastal provinces detained, beat, and harassed numerous Protestant believers. In April 2002 officials reportedly cut off electricity to the homes of ethnic Ede villagers in Ea Trol village in coastal Phu Yen province after they refused to give up Christianity.

There also are a number of unconfirmed reports of groups of inebriated youths beating religious believers at the instigation of authorities. There were credible but unconfirmed reports from multiple sources that local police tortured Protestant detainees in some instances. In December 2001, police in Buon Cuor Knia village in Dak Lak province reportedly beat and shocked with electric wires 12 Christians who had attempted to flee across the border to Cambodia.

During the period covered by this report, the government's response to the ethnic unrest in the Central Highlands was directed at the organizers of the demonstrations; however, because some organizers also were Protestant leaders, some local authorities retaliated against Protestants in their areas. There were reports that from February 2001 through the end of the period covered by this report, groups of vigilantes abducted and beat Protestant worshippers. According to one report, the Protestant churches in Ban Don district in Dak Lak province were closed following the February 2001 demonstrations; authorities allegedly have prevented all assembly for worship since that time. More recent reports claimed that police intermittently broke up all Protestant gatherings, including weddings and funerals, in Krong Pak district, Dak Lak province.

The Government continued to isolate certain religious figures, in particular leaders of the UBCV, by restricting their movements and by pressuring the supporters and family members of other leaders. Since 1982 Thich Huyen Quang, the Supreme Patriarch of the UBCV, has lived in Quang Ngai province under conditions resembling house arrest. Thich Huyen Quang has confirmed that he must request permission before leaving the pagoda, which is surrounded on all sides by a pond and sits directly across the street from the local police station, whose officers monitor all visitors to and from the pagoda. He is not allowed to lead prayers or participate in worship as a monk, nor is he able to receive visits from sympathetic monks, several of whom attempt to visit each week. Other visitors who met with him occasionally were questioned by the police. Despite this, government officials in both Hanoi and HCMC told a visiting delegation from the U.S. that Thich Huyen Quang has been under no restrictions since 1997 and is free to travel to any pagoda affiliated with the CBS that is willing to receive him. Thich Huyen Quang has called for the Government to recognize and sanction the operations of the UBCV. In May 2002, he wrote an open letter to Buddhists encouraging them to prevent the suppression of independent Buddhism and to engage in a nonviolent struggle for religious freedom, human rights, and democracy. Government officials reportedly have proposed to move Thich Huyen Quang to Hanoi, or Quy Nhon Town, Binh Dinh province, where medical care for his chronic conditions would be better, but he has refused. Government officials have said that Thich Huyen Quang is free to leave the pagoda, but that he may not return to HCMC.

In February 2001, the UBCV's second-ranking leader, Thich Quang Do, visited Thich Huyen Quang. While he was returning to HCMC, police detained Thich Quang Do twice and questioned him for a total of 6 hours, at one point forcing him to undergo a strip-search. In June 2001, authorities enforced a 1998 5-year administrative surveillance order on Thich Quang Do by confining him to his living quarters under guard. The confinement was in response to his attempt to organize a group of monks and nuns to go to Quang Ngai province to take Thich Huyen Quang to HCMC. The confinement has been enforced strictly and Thich Quang Do has been unable to meet outsiders during the period covered by this report.

In February 2001, UBCV monks Thich Thai Hoa and Thich Chi Mau organized a "week of prayer" at Tu Hieu Pagoda in Hue City. Between 500 to 1,000 persons came to the pagoda during the week to offer their support. Local authorities reportedly ordered public high school and college students to attend classes throughout the week, even on Sunday—traditionally a non-school day—in an attempt to prevent their attending the event. Persons who visited the pagoda during the week reported that security forces detained and questioned them at local police stations.

In September 2001, UBCV lay follower Ho Tan Anh immolated himself to death in Da Nang. According to a letter left behind by Anh, he took this action to protest CPV policies towards the UBCV, (particularly a campaign directed at UBCV followers in Quang Nam province that began in June 2001).

Hoa Hao believers stated that a number of their leaders remained in detention at the end of the period covered by this report. On December 20, 2000, police intervened after 50 to 60 persons attacked a group of 10,000 Hoa Hao followers led by Le Quang Liem, Chairman and founder of the unrecognized Hoa Hao church that

was conducting commemoration ceremonies at the Hoa Hao founder's ancestral home. According to several witnesses, police attacked Liem's group, beating them with batons. Police beat one follower, Truong Van Duc, so severely that he was hospitalized. Police arrested Duc and Ho Van Trong in connection with this incident. On May 20, 2001, they were tried, convicted, and received 12-year and 4-year prison sentences respectively.

On March 17, 2001, Le Quang Liem met with HHCBC Vice-Chairman Nguyen Van Dien and several other unofficial Hoa Hao supporters in a park in HCMC. Police detained Liem after he left the group. They released him, but on the following day placed him under administrative probation. Liem claims that he was beaten severely while in police custody. Police detained, then released the other members of the group. Nguyen Van Dien was returned to his home province of Dong Thap and placed under a 2-year administrative probation order. The others who had been detained were released. On March 19, 75-year-old unofficial Hoa Hao member Nguyen Thi Thu immolated herself to death at a village on the border between Dong Thap and Vinh Long provinces to support the Hoa Hao cause. It is unknown whether Thu was among those detained in HCMC on March 17, 2001.

Two Hoa Hao supporters, Truong Van Thuc and Nguyen Chau Lan, remained incarcerated at Z30A K16 prison at Xuan Loc in Dong Nai province after having been arrested on March 28, 2000, and sentenced to 3 years in prison. They were among 8 persons arrested for planning to organize a commemoration of the death of the Hoa Hao founder; the other 6 since have been released. On June 14, 2000, Vo Van Buu was arrested, along with his wife, Mai Thi Dung, after they met with Nguyen Van Dien. The couple was tried in September 2000 and convicted. Buu received a 30-month prison term; Dung was given an 18-month suspended sentence. There were unconfirmed reports that Buu remained incarcerated at the end of the period covered by this report.

On April 14, 1999, police detained Ha Hai, the third-ranking officer of the HHCBC, in An Giang province and subsequently placed him under house arrest. Hai violated a house arrest order in November 2000 by traveling to HCMC along with other HHCBC officers and supporters to help organize a demonstration planned to coincide with the visit to HCMC of then U.S. President Clinton. Police in HCMC arrested Hai; Hai was tried on January 16, 2001, and sentenced to 5 years in prison for abusing his "democratic rights." On November 28, 2000, a group of persons armed with clubs beat three of Hai's adult children who had accompanied his wife on a visit to the jail. The following day, several dozen persons protested the beatings at the police station. On December 7, approximately 1,000 persons approached the jail to demand Hai's release. When police dispersed them, a clash ensued, and in protest, Vo Hoang Van stabbed himself in the stomach and Mai Thi Dung slit her own throat. Both eventually recovered. Hai remained imprisoned at the end of the period covered by this report.

In May 1999, Hoa Hao follower Bui Van Hue was placed under a 2-year administrative probation order because, according to Hoa Hao sources, he was "very active in his religious activities." In April 2001, with 1 month remaining of the administrative probation order, he crossed the border to Cambodia. In August 2001, he reportedly decided to apply to UNHCR for refugee status, but when he camped out on the sidewalk in front of the UNHCR office in Phnom Penh, Cambodian police reportedly apprehended him and deported him back to Vietnam. In January 2002, a court in An Giang province sentenced him to 3 years imprisonment for violating the administrative probation order and for leaving the country illegally.

On November 1, 2001, police in Cho Moi district of An Giang province ordered Hoa Hao monk Vo Thanh Liem (Nam Liem) to remove the Hoa Hao flag and photograph of the Hoa Hao founder that he had displayed in his pagoda. When he refused, the police entered the pagoda; while the police were inside, Liem locked the door from the outside. After several attempts to break the door down, the police shot at the lock to get out. For the next several days, police remained at the pagoda. On November 6, 2001 Liem climbed up a tree with a knife and a container of gasoline, threatening to kill himself if the police did not go away. After 3 days in the tree and a self-inflicted knife wound to his leg, Liem came down. Despite the incident, Liem was not subjected to arrest or administrative detention.

Priests and lay brothers of the Catholic order Congregation of the Mother Co-Redemptrix continue to face Government restrictions. Founded by Reverend Tran Dinh Thu in Bui Chu Diocese in 1953, the historically anti-communist order re-established its headquarters in Thu Duc District of HCMC in 1954. In 1988 police surrounded the 15-acre site and arrested all the priests and lay persons inside the compound. Father Thu was released in 1993 after serving nearly 5 years of a 20-year prison term. Most of the other Co-Redemptrix priests and lay brothers subsequently were released. However, Reverend Pham Minh Tri and lay person Nguyen Thien

Phung remain incarcerated at the end of the period covered by this report. Father Tri reportedly is in poor health.

Three Cao Daiists—Ho Vu Khanh, Tran Van Nhi, and Ngo Van Thong—were arrested in 1977 and sentenced to death by a Tay Ninh provincial court. Their sentences were later commuted to life imprisonment. They are believed to be in prison in Hanoi, but apparently because their close relatives have passed away, they have received no visitors for a number of years; it is unknown if they are still alive. Two senior Cao Dai clergy, Archbishop Thuong Nha Thanh and Archbishop Thai The Thanh, who have chosen not to participate in the government-sanctioned Cao Dai Management Committee, were prevented from meeting with U.S. diplomats in 2001, but did receive U.S. diplomats on unscheduled visits in February 2002.

In February 2001 at Tu Hieu Pagoda, on the day before the start of the “week of prayer,” Catholic Father Nguyen Van Ly, Hoa Hao elder Le Quang Liem, and Buddhist monks Thich Thien Hanh and Chan Tri met for the purpose of forming an inter-religious body independent of government authority. Later in the same month, police surrounded Father Ly’s church and placed him under administrative probation. His detention was reported widely in the state-controlled press, which identified him as a “traitor” for submitting written testimony critical of the Government. On May 16, 2001, allegedly as many as 300 police surrounded his church and arrested him. On October 19, 2001, the Thua Thien Hue Provincial People’s Court convicted Father Ly and sentenced him to a total of 15 years in prison, 2 years for disobeying the “administrative probation” he received in February, and 13 years for “damaging the Government’s unity policy.” The court also ordered 5 years of administrative probation, which is to confine him to his place of residence after his release. Father Ly had called not only for religious freedom, but also for an end to one-party rule.

It is impossible to determine the exact number of religious detainees and religious prisoners. There is little transparency in the justice system, and it is very difficult to obtain confirmation of when persons are detained, imprisoned, tried, or released. Moreover, persons sometimes are detained for questioning and subsequently held under conditions amounting to house arrest using administrative probation regulations without being charged or without their detention being publicized. Among those believed to be detained without having gone to trial are Hmong Protestant Vang Sua Giang in Ha Giang province and Dinh Troi, an ethnic Hre Protestant detained in Quang Ngai in 1999. Unconfirmed reports claim that there are many more Protestants detained in the Central Highlands. By the end of the period covered by this report, there reportedly were at least seven religious detainees who were held without formal arrest or charge; however, the number may be greater since persons sometimes are detained for questioning and held under administrative detention regulations without being charged or without their detention being publicized. The seven persons believed to be detained are ethnic minority Protestants: Hmong Protestants Sinh Phay Pao, Va Sinh Giay, Vang Sua Giang, and Phang A Dong in Ha Giang province; Dinh Troi, an ethnic Hre Protestant detained in Quang Ngai in 1999; and Ama Ger and Ama Bion detained in Dak Lak in February 2001. Unconfirmed reports suggest there may be other Protestants detained in the Central Highlands. Other religious leaders, most prominently Supreme Patriarch Thich Huyen Quang of the UBCV, were held under conditions that resemble administrative detention. Thich Huyen Quang was not allowed to leave the pagoda where he lives in Quang Ngai province without express police permission, and only then for medical appointments in the isolated town where he stays. In addition a number of UBCV Buddhists such as Thich Quang Do, Cao Dai dignitaries, and Catholic, Hoa Hao, and Protestant believers had their movements restricted or are watched and followed by police.

There were an estimated 40 religious prisoners and detainees, although the actual number may be higher. This figure is difficult to verify because of the secrecy surrounding the arrest, detention, and release process. Those persons believed to be imprisoned or detained at least in part for the peaceful expression of their religious faith as of June 2002 included: UBCV monk Thich Them Minh ; Catholic priests Pham Minh Tri and Nguyen Van Ly, and Catholic lay person Nguyen Thien Phung; Cao Dai believers Ho Vu Khanh, Tran Van Nhi, and Ngo Van Thong; Hoa Hao lay persons Bui Van Hue, Truong Van Thuc, Nguyen Chau Lan, Vo Van Buu, Ha Hai, Ho Van Trong, and Truong Van Duc. Hoa Hao leaders Le Quang Liem and Nguyen Van Dien remain under formal administrative detention (house arrest). Ethnic minority Tai Protestants Lo Van Hoa, and Lo Van Hen, and ethnic majority Kinh Protestant Nguyen Thi Thanh, were placed under administrative probation.

There were numerous reports during the period covered by this report that groups of vigilantes or “gangs of hoodlums” beat Protestant believers in the Central Highlands. On April 14 2002, a “gang” in Buon Eu Sup village, Dak Lak, reportedly beat

Protestant believer Siu Kret. His father complained to local police about the incident. The police fined the gang members \$33 (VND 500,000) and a pig, but the victim's father had to swear to police he was not a Protestant believer in order to collect the compensation. In April 2001, assailants severely beat two ethnic Vietnamese female primary school teachers on their return from a Protestant service in Phu Nhon district in Gia Lai Province. There were dozens of additional specific reports of similar beatings in the area.

*Forced Religious Conversion*

On multiple occasions, Hmong Protestant Christians in several northwestern villages reportedly were forced by local officials to recant their faith and to perform traditional Hmong religious rites such as drinking blood from sacrificed chickens mixed with rice wine. Local authorities reportedly have begun encouraging clan elders to pressure members of their extended families to cease practicing Christianity and to return to traditional practices. Following the ethnic unrest in the Central Highlands in February/March 2001, there also were numerous reports of local authorities forcing ethnic minority Protestants to renounce their faith. In the villages of Druh, B'Le, B'Gha, V'Sek, Koyua, Tung Thang, Tung Kinh, and Dung in Ea H'Leo district of Dak Lak province, ethnic minority commune and district officials, some of whom are ethnic minorities themselves, were assigned to force Protestant followers symbolically to abandon Protestantism by drinking alcohol mixed with animal blood in a ritual called "the ceremony of repentance." In the villages of Buon Sup, Buon Ea Rok, and Buon Koya in Ea Sup district, Dak Lak province, ethnic minority Protestants were forced to undergo the same ritual recantation of faith. There were sporadic unconfirmed reports of this occurring in other instances during the period covered by this report.

In other provinces, authorities have been encouraging "revival of traditional culture," which includes abandoning Christian beliefs. During the last week of May 2001, in Ninh Son district of Ninh Thuan province, officials reportedly gave a picture of Ho Chi Minh to each family in an ethnic Roglai community that had been selected to be upgraded to a "cultural village," with instructions to place the picture on an altar and burn incense in front of it. When four Christian families declined, they were threatened with banishment from the village.

There were no reports of forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

*Improvements and Positive Developments in Respect for Religious Freedom*

While the status of respect for religious freedom remained fundamentally unchanged during the period covered by this report, there were improvements in some areas. Some local Protestant churches in some parts of the country have been allowed to affiliate with the SECV. Leaders of non-recognized Protestant churches reported that they were negotiating with the Government for recognition and that police surveillance of their worship activities has declined or ended. Leaders of some Protestant house churches have been allowed to travel overseas. Catholic leaders report that they are able to assign priests more easily than in the past. Attendance at religious services continued to increase during the period covered by this report. The number of Buddhist monks and Catholic priests also continued to increase. Local governments in some parts of the country allowed religious organizations to engage in more charitable and social activities. In addition, there was continued gradual expansion of the parameters for individual believers adhering to one of the officially recognized religious bodies to practice their faiths. The Government reportedly allowed Protestants to begin using a number (possibly as many as several dozen) of long-closed churches in the southern and central parts of the country.

Several hundred to several thousand prisoners benefited from early releases during the period covered by this report, but it is unknown whether any of them were imprisoned for reasons related to expression of their religious faith. Hoa Hao believer Le Minh Triet (Tu Triet), was released in the beginning of May 2002 after serving his 12-year sentence. Some other persons, particularly Hmong Protestants, previously reported detained may have been released.

A leader of a large unrecognized Protestant fellowship has claimed that the Government is developing a new, perhaps more favorable policy on religion and that the Government intends to recognize at least 2 more Protestant bodies by 2004. In addition there has been no known police interference in Protestant worship services in the south since June 2001.

## SECTION III. SOCIETAL ATTITUDES

In general there are amicable relations among the various religious communities, and there were no known instances of societal discrimination or violence based on religion during the period covered by this report. In HCMC, there were some informal ecumenical dialogs among leaders of disparate religious communities. Working level cooperation between the Catholic and Protestant churches occurs in many parts of the country. Various elements of the UBCV Buddhists, Catholics, Cao Dai, Protestant, and Hoa Hao communities appeared to network with each other; many of them reportedly formed bonds while serving prison terms at Xuan Loc.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy in Hanoi and the U.S. Consulate General in HCMC actively and regularly raised U.S. concerns about religious freedom with a wide variety of government officials, including the Ministry of Foreign Affairs, the Office of Religious Affairs, the Ministry of Public Security, and other government offices in Hanoi, HCMC, and the provincial capitals. Embassy and Consulate officials discussed religious freedom with Party officials and with leaders of mass organizations, such as the Women's Union and the Farmer's Union, several times during the period covered by this report. All public organizations fall under the Vietnam Fatherland Front, which is in turn under the control of the Communist Party. Embassy and consulate officials also met with some of the Religious Council officials, which also falls under the Vietnam Fatherland Front, in their capacity as religious leaders as well as with all of the major religious groups, recognized as well as unregistered.

The U.S. Ambassador and the Charge d'Affaires and other embassy officers have raised religious freedom issues with senior cabinet ministers, including the Prime Minister and Foreign Minister, senior Government and Communist Party advisors, the head of the Office of Religion, the Vice Ministers of Foreign Affairs and Public Security, and the chairpersons of Provincial People's Committees around the country, and other senior officials, particularly in the Central Highlands. The Consulate General and other consulate general officials also raised U.S. concerns about religious freedom with senior officials of the Ministries of Foreign Affairs and Public Security, with the Government's Office of Religion, and with the Provincial People's Committee Chairmen, Religious Affairs Committee, and Department of Trade officials. Embassy and consulate general officials maintained regular contact with the key government offices responsible for respect for human rights. Embassy officers informed government officials that progress on religious problems and human rights have an impact on the degree of full normalization of bilateral relations. The Embassy's public affairs officer distributed information about the U.S. concerns regarding religious freedom to Communist Party and government officials.

In their representations to the Government, the Ambassador and other Embassy officers urged recognition of a broad spectrum of religious groups, including members of the UBCV, the Protestant house churches, and dissenting Hoa Hao and Cao Dai groups. They also urged greater freedom for recognized religious groups. Embassy and consulate general officials also have focused on specific abuses and restrictions on religious freedom. The April 2001 recognition of the SECV followed direct advocacy by U.S. officials during the annual Human Rights Dialog and ongoing discussions involving the Ambassador, the Ambassador-at-Large for International Religious Freedom, and other U.S. officials. The Ambassador and other U.S. Mission officials in HCMC called on the Government to release Thich Quang Do from administrative probation and to allow Thich Huyen Quang to relocate to HCMC on humanitarian grounds. The Consulate General has made several oral and written representations. The Ambassador and other U.S. Mission officials expressed concern for Father Nguyen Van Ly during his detention. After Father Ly's sentencing, the Ambassador and other Embassy officials, noting the harshness of the sentence, called for his early release.

Representatives of the Embassy and the Consulate General met on several occasions with leaders of all the major religious communities, including Buddhists, Catholics, Protestants, Cao Dai, Hoa Hao, Muslims, Hindus and Baha'is. When traveling in the provinces, embassy and consulate general officers make a point of meeting with local Religious Affairs Committees, village elders, and local clergy and believers. In February 2001 and February 2002, a consulate general officer met with the government-sanctioned Hoa Hao Committee in An Giang province and maintained regular contact with Hoa Hao dissident Le Quang Liem and Hoa Hao elder Tran Huu Duyen. Mission officers met Cao Dai Archbishops affiliated with the pre-1975 Cao Dai leadership in February 2002. The Consulate General also maintained regular contact with UBCV monk Thich Quang Do until the re-imposition of his administrative probation order, and with other UBCV Buddhists and officially recog-

nized Buddhists. Embassy and consulate general officers have maintained contact with leaders of the Central Buddhist Sangha. In May 2001, a consulate general officer met with the 95-year-old founder of the Co-Redemprix Order Father Tran Dinh Thu in HCMC. An embassy officer met with Thich Thai Hoa in Hue in September 2000. Embassy and consulate general officers met with the Catholic Archbishops of Hanoi, HCMC and Hue as well as other members of the Episcopal Conference. The Ambassador and other mission officers met with outspoken priest Chan Tin on numerous occasions during the period covered by this report. The Ambassador also met with the Catholic Archbishops of Hanoi and HCMC. The Ambassador and Consul General attended an Easter sunrise service in 2001 in the Central Highlands that was conducted in two ethnic minority languages and presided over by the Bishop of Kon Tum. Embassy and consulate general officers also met repeatedly with leaders of various Protestant house churches and with leaders of the Muslim community.

The U.S. Government commented publicly on the status of religious freedom in the country on several occasions. A delegation led by the Assistant Secretary of State for Democracy, Human Rights, and Labor held a Human Rights Dialog in August 2001 with the Government in which the status of Thich Quang Do, Thich Huyen Quang, the UBCV, Hmong Protestants, Protestants in the Central Highlands, Le Quang Liem, and the Catholic church were discussed.

Some religious sources have cited diplomatic intervention, primarily from the U.S., as a reason why the Government is seeking to legalize more religious groups and is allowing already legalized groups more freedom.

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## EUROPE AND CANADA

### ALBANIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among the religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 11,100 square miles, and its population is approximately 3,490,000. It has a largely homogeneous ethnic population, consisting of Ghegs in the north and Tosks in the south. The southern part of the country has ethnic Greek communities estimated at 3 percent of the population. Other small minorities include the Roma, Egyptian people (an ethnic group similar to the Roma but which does not speak the Roma language), Vlachs, Macedonians, and Chams.

The majority of citizens are secular in orientation after decades of rigidly enforced atheism under the Communist regime, which ended in 1990. Despite such secularism, most citizens traditionally associate themselves with a religious group. Citizens of Muslim background make up the largest traditional religious group (roughly 65 to 70 percent of the population) and are divided into two communities: those associated with a moderate form of Sunni Islam and those associated with the Bektashi school (a particularly liberal form of Shi'a Sufism). The country is the world center of the Bektashi school, which moved from Turkey in 1925 after the revolution of Ataturk. Bektashis are concentrated mainly in the central and southern regions and represent approximately one quarter of the country's Muslim population.

The Orthodox Autocephalous Church of Albania (referred to as Orthodox) and the Roman Catholic Church are the other large denominations. An estimated 20 to 30 percent of the population belong to communities that are traditionally Albanian Orthodox, and 10 percent are associated with Roman Catholicism. The Orthodox Church became independent from Constantinople's authority in 1929 but was not recognized as autocephalous, or independent, until 1937. The Church's 1954 statute states that all its archbishops must have Albanian citizenship; however, the current archbishop is a Greek citizen whose application for Albanian citizenship has been pending for several years.

Muslims are concentrated mostly in the middle of the country and to some extent in the south, Orthodox mainly in the south, and Catholics in the north of the country; however, this division is not strict. The Greek minority, concentrated in the south, belongs to the Orthodox Church. There are no data available on active participation in formal religious services, but unofficial sources state that 30 to 40 percent of the population practice a religion. Foreign clergy, including Muslim clerics, Christian and Baha'i missionaries, members of Jehovah's Witnesses, members of the Church of Jesus Christ of Latter-day Saints (Mormons), and many others freely carry out religious activities.

According to updated data provided by the State Committee on Cults during the period covered by this report, there are 22 different Muslim societies and groups active in the country; some of these groups are foreign. There are 36 Christian societies representing more than 100 different organizations and 2,500 to 3,000 Christian and Baha'i missionaries. The largest foreign missionary groups are American, British, Italian, Greek, and Arab.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. According to the 1998 Constitution, there is no official religion and all religions are equal. However, the predominant religious communities (Sunni, Bektashi, Orthodox, and Roman Catholic) function as juridical persons and enjoy a greater social recognition and status based on their historical presence in the country. All registered religious groups have the right to hold bank accounts and to own property and buildings.

Religious movements—with the exception of the four de facto recognized religions—may acquire the official status of a juridical person only by registering with the courts under the Law on Associations, which recognizes the status of a nonprofit association irrespective of whether the organization has a cultural, recreational, religious, or humanitarian character. The Government does not require registration or licensing of religious groups; however, the State Committee on Cults maintains records and statistics on foreign religious organizations that contact it for assistance. No groups reported difficulties registering during the period covered by this report. All religious communities have criticized the Government for its unwillingness to grant them tax-exempt status.

The State Committee on Cults, created by executive decision and based on the Constitution, is charged with regulating the relations between the State and religious communities. The Chairman of the Committee has the status of a deputy minister. The Committee recognizes the equality of religious communities and respects their independence. The Committee works to protect freedom of religion and to promote inter religious development, cooperation, and understanding. The Committee claims that its records on religious organizations facilitate the granting of residence permits by police to foreign employees of various religious organizations; however, some foreign religious organizations have claimed that the Committee's involvement has not facilitated access to residence permits. There is no law or regulation that forces religious organizations to notify the Committee of their activities. There is no law on religious communities, although the Constitution calls for bilateral agreements between the State and religious communities. During the period covered by this report, the Committee coordinated the drafting of a model bilateral agreement for use in future negotiations with each religious community; it was under review by the Council of Ministers at the end of the period covered by this report.

According to official figures, there are 26 religious schools in the country with approximately 2,600 total students. The Ministry of Education has the right to approve the curricula of religious schools in order to ensure their compliance with national education standards, and the State Committee on Cults oversees implementation.

Official holidays include religious holidays from all four predominant faiths.

*Restrictions on Religious Freedom*

The Government is secular and religion is not taught in public schools. While there is no law restricting the demonstration of religious affiliations in public schools, students have not been allowed to do so in practice. In January 2001, three female Muslim students, Miralda Gjoka, Ermira Dani, and Edlira Dyrnishaj, presented a case to the People's Advocate, claiming that their schools had prohibited them from wearing their headscarves. The Ministry of Education contended that public schools in the country were secular and that the law prohibited ideological and religious indoctrination. The case appeared to have been dropped by the end of the period covered by this report. No restriction is imposed on families regarding the way they raise their children with respect to religious practices.

In 1967 the Communists banned all religious practices and expropriated the property of the established Islamic, Orthodox, and Catholic Churches. The Government has not yet returned all the properties and religious objects under its control that were confiscated under the Communist regime. In cases in which religious buildings were returned, the Government often failed to return the land that surrounds the buildings, sometimes due to redevelopment claims by private individuals who began farming it or using it for other purposes. The Government does not have the resources to compensate churches adequately for the extensive damage many religious properties suffered; however, it is developing a long-term compensation plan. Although it has recovered some confiscated property, including one large parcel of land near Tirana's main square, the Orthodox Church has claimed difficulty in recovering some religious icons for restoration and safekeeping. The Roman Catholic community also has outstanding property claims, but was able to consecrate a new cathedral in central Tirana in January 2002, on land provided by the Government.

The Albanian Evangelical Alliance, an association of more than 100 Protestant churches throughout the country, claimed that it encountered administrative obstacles to building churches, accessing the media, and receiving exemptions from customs duties. The growing evangelical community continued to seek official recognition and participation in the religious affairs section of the Council of Ministers.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among the various religious groups are generally amicable, and tolerance is widespread. Society largely is secular. Intermarriage among religious groups is extremely common. There are amicable relations among the three main religions in the country, and religious communities take pride in the tolerance and understanding that prevails among them.

The Archbishop of the country's Orthodox Church has noted incidents in which the Orthodox and their churches or other buildings have been the targets of vandalism. However, he concluded that the problem was largely due to the country's weak public order. There were three incidents of vandalism in the southern part of the country during the period covered by this report. Members of the ethnic Greek minority, as well as ethnic Albanian and Greek members of the Orthodox Church, left the country in large numbers between 1990 and 1991, with another large exodus between 1997 and 1998 due to the lack of security and poor economic prospects. Ethnic Greek Albanians, among others, continue to leave the country in search of employment or permanent residence elsewhere.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government has employed numerous initiatives to foster the development of human rights, democracy, and the rule of law in the country, and to further religious freedom and tolerance. The U.S. Embassy periodically has urged the Government to return church lands to the denominations that lost them under Communist rule. Embassy officers, including the Ambassador, meet frequently (both in formal office calls and at representational events) with the heads of the major religious communities in the country. The U.S. Embassy has been active in urging tolerance and moderation on the part of the Government's Committee on Cults.

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## ANDORRA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion; however, the Constitution acknowledges a special relationship with the Roman Catholic Church, which receives some privileges not available to other faiths.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has an area of 180.7 square miles and a population of approximately 67,000. Very few official statistics are available relative to religion; however, traditionally approximately 90 percent of the population are Roman Catholic. The population consists largely of immigrants, with full citizens representing less than 37 percent of the total. The immigrants, who primarily are from Spain, Portugal, and France, also largely are Roman Catholic. It is estimated that, of the Catholic population, about half are active church attendees. Other religious groups include Muslims (who predominantly are represented among the approximately 2,000 North African immigrants and are split between two groups, one more fundamentalist); the New Apostolic Church; the Church of Jesus Christ of Latter-Day Saints (Mormons);

several Protestant denominations, including the Anglican Church; the Reunification Church; and Jehovah's Witnesses.

Foreign missionaries are active and operate without restriction. For example, the Mormons and members of Jehovah's Witnesses proselytize from door to door.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution acknowledges a special relationship with the Roman Catholic Church "in accordance with Andorran tradition" and recognizes the "full legal capacity" of the bodies of the Catholic Church, granting them legal status "in accordance with their own rules." One of the two constitutionally designated princes of the country (who serves equally as joint head of state with the President of France) is Bishop Joan Marti Alanis of the Spanish town of La Seu d'Urgell.

The Government no longer pays monthly stipends to each of the seven parishes.

There is no law that clearly requires legal registration and approval of religions and religious worship. In 2001 the Government passed a law of associations, which is very general and does not mention specifically religious affairs. Prior to the 2001 law, each Ministry had its own registry for associations. On August 1, 2001, the Government opened a new, consolidated register of associations to replace the existing separate registries. The registry records all types of associations, including religious groups. Registration is not compulsory; however, groups must register or reregister in order to be considered for the support that the Government provides to nongovernmental organizations. In order to register or reregister, groups must provide the association statutes, the foundation agreement, a statement certifying the names of persons appointed to official or board positions in the organization, and a patrimony declaration which identifies the inheritance or endowment of the organization.

The authorities reportedly had expressed some concern regarding what treatment groups whose actions may be considered injurious to public health, safety, morals, or order should receive. The law does not limit any such groups, although it does contain a provision that no one may be "forced to join or remain in an association against his/her will." A report from the Ombudsman issued in 2000 maintains that there is no real risk of negative influence from such so-called destructive sects, because of their low membership numbers and because of the orientation of their ideology. The report notes that, for example, the few Unification Church members known to reside in the country are involved very directly in social work with the underprivileged.

Instruction in the tenets of the Catholic faith is available in public schools on an optional basis, outside of both regular school hours and the time frame set aside for elective school activities, such as civics or ethics. The Catholic Church provides teachers for religion classes, and the Government pays their salaries. The Cultural Islamic Center provides 43 students with Arabic lessons. The Government and the Moroccan community are discussing plans that would allow children to receive Arabic classes in school outside of the regular school day.

The Government has not taken any official steps to promote interfaith understanding, nor has it sponsored any programs or forums to coordinate interfaith dialog. However, it has been responsive to certain needs of the Muslim community. On occasion the Government has made public facilities available to various religious organizations for religious activities.

### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such persons to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Societal attitudes between and among differing religious groups in general appear to be amicable and tolerant. For example, the Catholic Church of la Massana lends its sanctuary twice per month to the Anglican community, so that visiting Anglican clergy can conduct services for the English-speaking community. Although those who practice religions other than Roman Catholicism tend to be immigrants and

otherwise not integrated fully into the local community, there appears to be little or no obstacle to their practicing their own religions.

There are no significant ecumenical movements or activities to promote greater mutual understanding among adherents of different religions.

#### SECTION IV. U.S. GOVERNMENT POLICY

U.S. officials discuss religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Both the U.S. Ambassador, resident in Madrid, and the Consul General, resident in Barcelona, have met with Bishop Marti, the leader of the Catholic community.

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### ARMENIA

The Constitution provides for freedom of religion; however, the law specifies some restrictions on the religious freedom of adherents of minority faiths, and there were some restrictions in practice. The Armenian Apostolic Church, which has formal legal status as the national church, enjoys some privileges not available to adherents of other faiths.

There was no overall change in the status of respect for religious freedom during the period covered by this report. In March 2002, the Government abolished the State Council on Religious Affairs (CRA) by presidential decree. The Government continued to reject the application by the Jehovah's Witnesses for legal recognition as a registered religion, and members of the group reported individual acts of discrimination. Other denominations occasionally report acts of discrimination, usually by mid-level or lower level government officials.

Relations among religions in society are generally amicable; however, societal attitudes towards some minority religions are ambivalent, and antipathy towards Muslims remains a problem.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 11,496 square miles, and its population is approximately 3 million.

The country is ethnically homogeneous, with approximately 95 percent of the population classified as ethnic Armenian. About 90 percent of citizens nominally belong to the Armenian Apostolic Church, an Eastern Christian denomination whose spiritual center is located at the cathedral and monastery of Echmiatsin. Religious observance was discouraged strongly in the Soviet era, leading to a sharp decline in the number of active churches and priests, the closure of virtually all monasteries, and the nearly complete absence of religious education. As a result, the number of active religious practitioners is relatively low, although many former atheists now identify themselves with the national church.

For many citizens, Christian identity is an ethnic trait, with only a loose connection to religious belief. This identification was accentuated by the conflict over Nagorno-Karabakh in 1988-94, during which Armenia and Azerbaijan expelled their respective Azeri Muslim and Armenian Christian minorities, creating huge refugee populations in both countries. The head of the Church, Catholicos Karekin II (alternate spelling Garegin), was elected in 1999 at Echmiatsin with the participation of Armenian delegates from around the world.

There are comparatively small, but in many cases growing, communities of the following faiths: Yezidi (a Kurdish religious/ethnic group which includes elements derived from Zoroastrianism, Islam, and animism, with approximately 30,000 to 40,000 nominal adherents); Catholic, both Roman and Mekhitarist (Armenian Uniate) (approximately 180,000 adherents); Pentecostal (approximately 25,000); Greek Orthodox (approximately 6,000); Jehovah's Witnesses (approximately 6,000); Armenian Evangelical Church (approximately 5,000); Baptist (approximately 2,000); unspecified "charismatic" Christian (approximately 3,000); Seventh-Day Adventist; Mormon; Jewish (500 to 1,000); Muslim; Baha'i; Hare Krishna; and pagan. Yezidis are concentrated primarily in agricultural areas around Mount Aragats, northwest of Yerevan. Armenian Catholic and Greek Orthodox Christians are concentrated in the northern region, while most Jews, Mormons, and Baha'is are located in Yerevan. There is a remnant Muslim Kurdish community of a few hundred persons, many of which live in the Abovian region; a small group of Muslims of Azeri descent live primarily along the eastern or northern borders. In Yerevan there are approxi-

mately 1,000 Muslims, including Kurds, Iranians, and temporary residents from the Middle East.

Members of Jehovah's Witnesses continue their missionary work fairly visibly and reported gains in membership during 2000 and 2001. Evangelical Christians and Mormons also are engaged in missionary work.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion; however, the law specifies some restrictions on the religious freedom of adherents of faiths other than the Armenian Apostolic Church. The Constitution also provides for freedom of conscience, including the right either to believe or to adhere to atheism. The 1991 Law on Freedom of Conscience, amended in 1997, establishes the separation of church and state, but grants the Armenian Apostolic Church official status as the national church. A 1993 presidential decree, later superseded by the 1997 law, supplemented the 1991 law and further strengthened the position of the Armenian Apostolic Church.

The 1991 law requires all other religious denominations and organizations to register with the CRA. However, in March 2002, the CRA, established by presidential decree and slightly altered by the 1997 law, was abolished by presidential decree. It had been inactive, largely due to lack of resources, since its founding, except for registering religious groups. A presidential spokesman announced that the Council's former functions would be taken over by an office attached to the Presidency; however, by the end of the period covered by this report, the appointment of a head of this office had not been announced. Petitioning organizations must "be free from materialism and of a purely spiritual nature," and must subscribe to a doctrine based on "historically recognized Holy Scriptures." To qualify a religious organization must have at least 200 adult members. A religious organization that has been refused registration may not publish newspapers or magazines, rent meeting places, broadcast programs on television or radio, or officially sponsor the visas of visitors. No previously registered religious group seeking reregistration under the 1997 law has been denied.

The Government still denies registration to Jehovah's Witnesses, although there are enough members to qualify; the group was in the process of providing requested information to experts in the Government at the end of the period covered by this report. Several other religious groups are unregistered, specifically the Molokhany, a branch of the Russian "Old Believers," and some Yezidis. According to an official of the CRA, those two groups, which number in the hundreds, have not sought registration. According to the leadership of the Yezidi community, appeals on their behalf in regard to alleged societal discrimination were raised with the CRA; however, there was no response by government officials. By the end of the period covered by this report, there were 50 religious organizations, some of which are individual congregations from within the same denomination, registered with the Government. All existing denominations have been reregistered annually. The Hare Krishnas do not have enough members to qualify, as their numbers had dropped below even the previous membership threshold of 50.

There is no formally operating mosque, although Yerevan's one surviving 18th century mosque, which was restored with Iranian funding, is open for regular Friday prayers on a tenuous legal basis. In practice the mosque is open for prayers although it is not registered as a religious facility. The Government does not create any obstacles for Muslims who wish to pray there.

The law permits religious education in state schools only by instructors appointed by the Armenian Apostolic Church. If requested by the school principal, the Armenian Apostolic Church sends priests to teach classes in religion and religious history in those schools; however, students may choose not to attend such classes. Other religious groups are not allowed to provide religious instruction in schools, although they may do so in private homes to children of their members.

As a result of extended negotiations between the Government and the Armenian Apostolic Church, a memorandum was signed in April 2000 that provided for the two sides to negotiate a concordat. This was scheduled to occur in time for the 1,700th anniversary celebrations in September 2001 of the country's conversion to Christianity; however, disagreements in some areas precluded this, and negotiations were in progress at the end of the period covered by this report. The document is expected to regulate relations between the two bodies, settle disputes over ecclesiastical properties and real estate confiscated during the Soviet period, and define the role of the Armenian Apostolic Church in such fields as education, morality, and the media.

The Government's Human Rights Commission has met with many religious minority organizations.

*Restrictions on Religious Freedom*

During the period covered by this report, most registered religious groups reported no serious legal impediments to their activities. However, members of faiths other than the Armenian Apostolic Church are subject to some government restrictions. In particular the 1991 law forbids "proselytizing" (undefined in the law) except by the Armenian Apostolic Church, and required all other religious denominations and organizations to register with the former CRA. The CRA continued to deny registration to Jehovah's Witnesses during the period covered by this report because its "illegal proselytizing" allegedly is integral to its activity and because of the dissatisfaction and tension caused in some communities by its public preaching. At the end of the period covered by this report, it was unclear whether the March 2002 abolition of the CRA would have any effect on these policies. The President's Human Rights Commission declined to intervene, recommending that the group challenge their denial of registration through the courts, as provided by law. Although officials of Jehovah's Witnesses claimed that they had filed such a legal challenge, it had not been heard by the courts by the end of the period covered by this report. Pending announcement of an alternative mechanism, Jehovah's Witnesses filed for registration with the State Registry Office and were asked to provide more information; which they were compiling at the end of the period covered by this report. An assembly of Jehovah's Witnesses approved slight changes to their charter to meet the country's legal requirements (for example, changing a commitment to "proselytize" into one to "witness"), but cautioned that they could not change fundamental articles of faith, such as opposition to military service. The CRA previously had stated that the denial was due to the group's opposition to military service; however, in 1999 and 2000 the Council defended its refusal to accept applications by the Jehovah's Witnesses by stating that the group cannot be registered because "illegal proselytism" is allegedly integral to its activities. Discussions between Jehovah's Witnesses and the CRA were suspended in 2001 due to a lack of progress on this issue. No further discussions between Jehovah's Witnesses and the CRA regarding registration took place in 2001 and 2002 prior to the CRA's abolition.

Although the law bans foreign funding for foreign-based churches, the ban on foreign funding had not been enforced and was considered unenforceable by the CRA. The law also mandated that religious organizations other than the Armenian Apostolic Church need prior permission from the former CRA to engage in religious activities in public places, to travel abroad, or to invite foreign guests to the country. However, in practice travel by religious personnel is not restricted, and at the end of the period covered by this report it was not clear how the CRA's abolition would affect such sects. No action has been taken against missionaries. A 1993 presidential decree required the CRA to investigate the activities of the representatives of registered religious organizations and to ban missionaries who engage in activities contrary to their status. However, the Council largely had been inactive, due in part to lack of resources, except for registering religious groups.

*Abuses of Religious Freedom*

At the end of the period covered by this report, 23 members of Jehovah's Witnesses remained in prison and 3 members in pretrial detention charged with draft evasion or, if forcibly drafted, with desertion due to refusal to serve. Eight members who had been serving terms were released to house arrest after serving one-third of their sentences. Representatives of Jehovah's Witnesses officials said that the increase in the number of those imprisoned persons was due to the fact that members of Jehovah's Witnesses who had been called for military service were going directly to police and turning themselves in rather than waiting until induction to declare conscientious objection. Amnesty International reported that at least 16 conscientious objectors were released from detention after serving only part of their sentences, although they were required to report regularly to the police. Others were released under the terms of an amnesty.

As part of its required undertakings for joining the Council of Europe (COE), in January 2001, the Government pledged to pass a new law conforming to European standards on alternatives to military service within 3 years. Government officials stated that, according to their interpretation of COE regulations, those presently in prison as conscientious objectors were not required to be released until the new law was passed. However, COE officials stated that their interpretation was that the Government's undertaking required immediate release of such conscientious objectors. At the end of the period covered by this report, two different drafts of a proposed law were circulating within the Government for comments. A local official of

Jehovah's Witnesses said that they had no objection to any alternative forms of civil service; however, they could not take part in anything categorized as military service even if it did not involve bearing arms.

There are reports that hazing of new conscripts is more severe for Yezidis and other minorities. Members of Jehovah's Witnesses are subject to even harsher treatment by military and civilian security officials, because their refusal to serve in the military is seen as a threat to national survival.

According to law, a religious organization that has been refused registration may not publish newspapers or magazines, rent meeting places, broadcast programs on television or radio, or officially sponsor the visas of visitors. During the period covered by this report, members of Jehovah's Witnesses did not experience difficulty renting meeting places as in the past, because they held only small meetings in private homes and buildings. Lack of official visa sponsorship means that Jehovah's Witnesses visitors must pay for tourist visas. When shipped in bulk, Jehovah's Witnesses publications are seized at the border. Although members of Jehovah's Witnesses supposedly were allowed to bring in small quantities of printed materials for their own use, Jehovah's Witnesses officials reported that "spiritual letters" from one congregation to another, which they said were meant for internal rather than proselytizing purposes, continued to be confiscated by customs officials. In March 2001, Jehovah's Witnesses official Levon Markarian was arrested and charged under a Soviet-period anti-religious law, which remains in force pending adoption by Parliament of a new Criminal Code, with "influencing people to refuse their civic duties" (i.e., service in the military) and "leading children astray" by inviting them to unsanctioned religious meetings. After a lengthy trial, on September 19, 2001, a court acquitted Markarian of the charge. In March 2002, the Appeals Court rejected the Procurator General's appeal and upheld the acquittal. In May 2002, the Court of Cassation, the country's highest court, dismissed the Procurator-General's appeal. The Organization for Security and Cooperation in Europe (OSCE) closely monitored the case.

Other than Jehovah's Witnesses who were conscientious objectors, there were no other reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among religions in society are generally amicable; however, societal attitudes towards some minority religions are ambivalent, and antipathy towards Muslims remains a problem.

The Armenian Apostolic Church is a member of the World Council of Churches and, despite doctrinal differences, has friendly official relations with many major Christian denominations, including the Eastern Orthodox churches, the Roman Catholic Church, the Anglican Church, and major Protestant churches. In 2001, the Armenian Apostolic Church celebrated the 1,700th anniversary of the official conversion of Armenia to Christianity. A year-long series of events, including international meetings and seminars, culminated in ceremonies in September 2001 attended by Armenians from around the world. Numerous heads of other churches and representatives of other religions attended ceremonies at Echmiatsin Cathedral. The new Cathedral of St. Gregory the Illuminator in Yerevan, financed by donations from Armenians around the world, was dedicated as the world's largest Armenian Church.

In late September 2001, Pope John Paul II paid the first visit to the country by a head of the Roman Catholic Church; the Pope celebrated an outdoor Mass at Echmiatsin and an ecumenical service at St. Gregory's Cathedral, and met with civil and ecclesiastical officials. Orthodox Patriarchs Bartholomew I of Constantinople and Aleksiy II of Moscow, along with numerous other religious figures, also visited Yerevan in 2001 as part of the 1,700th anniversary celebrations.

Although such activities contributed to mutual understanding, they took place in an undercurrent of competition. Suppressed through 70 years of Soviet rule, the Armenian Apostolic Church has neither the trained priests nor the material resources to fill immediately the spiritual void created by the demise of Communist ideology. Nontraditional religious organizations are viewed with suspicion, and foreign-based denominations operate cautiously for fear of being seen as a threat by the Armenian Apostolic Church. After his election in 1999, one of the first actions of Karekin II

was to create a Secretariat for Ecumenical Outreach to other Christian denominations.

Societal attitudes toward most minority religions are ambivalent. Many citizens are not religiously observant, but the link between religion and Armenian ethnicity is strong. As a result of the Karabakh conflict with Azerbaijan, most of the country's Muslim population was forced to leave the country. Antipathy towards Muslims remains a problem, and the few Muslims remaining in the country keep a low profile, despite generally amicable relations between the Government and Iran.

There was no officially sponsored violence reported against minority religious groups during the period. Yezidi children on occasion report hazing by teachers and classmates. Some observers report increasingly unfavorable attitudes toward members of Jehovah's Witnesses among the general population, both because they are seen as "unpatriotic" for refusing military service and because of a widespread but unsubstantiated belief that they pay money to the desperately poor for conversions. The press reported a number of complaints lodged by citizens against members of Jehovah's Witnesses for alleged illegal proselytizing. They are the focus of religious attacks and hostile preaching by some Armenian Apostolic Church clerics.

Although it is difficult to document, it is likely that there is some informal societal discrimination in employment against members of certain religious groups.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Ambassador and Embassy officials maintain close contact with the Catholics at Echmiatsin and with leaders of other major religious and ecumenical groups in the country. In 2001 and 2002, Embassy officials met with the Military Prosecutor to discuss, among other topics, hazing of minority conscripts and the status of Jehovah's Witnesses, and continued to meet with the State Council on Religions to urge that progress be made towards registering Jehovah's Witnesses. The Embassy also maintains regular contact with traveling regional representatives of foreign-based religious groups such as the Mormons and members of Jehovah's Witnesses and raises their concerns with the Government. Embassy Officials closely monitored the trial of Levon Markarian (see Section II).

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## AUSTRIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report.

There are generally amicable relations among the various religious groups. However, there is widespread societal mistrust and discrimination against members of some non recognized religious groups, particularly those referred to as "sects." There was no marked deterioration in the atmosphere of religious tolerance in the country during the period covered by this report.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 32,368 square miles, and its population is an estimated 8.1 million. The largest minority groups are Croatian, Slovene, Hungarian, Czech, Slovak, and Roma. In the past several years, the country has experienced a rise in immigration from countries such as Turkey and Bosnia-Herzegovina, which has increased the number of Muslims in the country.

According to the Ministry of Education and Culture, the memberships of the 12 officially recognized religions are as follows: Roman Catholic Church—78.14 percent; Lutheran Church (Augsburger and Helvetic Confessions)—5 percent; Islamic community—2.04 percent; Old Catholic Church—0.24 percent; Jewish community—0.09 percent; Eastern Orthodox (Russian, Greek, Serbian, Romanian, Bulgarian)—1.5 percent; Church of Jesus Christ of Latter-day Saints (Mormons)—0.2 percent; New Apostolic Church—0.2 percent; Syrian Orthodox Church—less than 0.1 percent; Armenian-Apostolic Church—less than 0.1 percent; Methodist Church of Austria—less than 0.1 percent; and Buddhist community—less than 0.1 percent. Approximately 2 percent of the population belong to non recognized "other faiths," while 8.64 per-

cent consider themselves atheists. Four percent did not indicate a religious affiliation.

In 2001 the Government conducted a national census that required persons to state their religious affiliation, which was criticized by many civil libertarians. Results of the census are expected to be released in early 2003.

The vast majority of groups termed “sects” by the Government are small organizations, with less than 100 members. Among the larger groups are the Church of Scientology, with between 5,000 and 6,000 members, and the Unification Church, with approximately 700 adherents throughout the country. Other groups found in the country include: the Brahma Kumaris, Divine Light Mission, Divine Light Center, Eckankar, Hare Krishna, the Holosophic community, the Osho movement, Sahaja Yoga, Sai Baba, Sri Chinmoy, Transcendental Meditation, Landmark Education the Center for Experimental Society Formation, Fiat Lux, Universal Life, and The Family.

The provinces of Carinthia and Burgenland have somewhat higher percentages of Protestants than the national average, as the Counter-Reformation was less successful in those areas. The number of Muslims is higher than the national average in Vienna and the province of Vorarlberg, due to the higher number of guestworkers from Turkey in these provinces.

Only approximately 17 percent of Roman Catholics actively participate in formal religious services. According to the Catholic Church, 34,997 Catholics left the Church in 2001, compared to 36,512 in 2000.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

The status of religious organizations is governed by the 1874 Law on Recognition of Churches and by the 1998 Law on the Status of Religious Confessional Communities, which establishes the status of “confessional communities.” Religious organizations may be divided into three legal categories (listed in descending order of status): officially recognized religious societies, religious confessional communities, and associations.

Religious recognition under the 1874 law has wide-ranging implications, such as the authority to participate in the state-collected religious taxation program, to engage in religious education, and to bring into the country religious workers to act as ministers, missionaries, or teachers. Under the 1874 law, religious societies have “public corporation” status. This status permits religious societies to engage in a number of public or quasi-public activities that are denied to other religious organizations. The Constitution singles out religious societies for special recognition. State subsidies for religious teachers at both public and private schools are provided to religious societies but not granted to other religious organizations.

Previously some non recognized religious groups were able to organize as legal entities or associations, although this was not possible for all groups. Some groups have organized, even while applying for recognition as religious communities under the 1874 law.

When the Law on the Status of Religious Confessional Communities came into effect in 1998, there were 12 recognized religious societies. Although the law allowed these 12 religious societies to retain their status, it imposed new criteria on other churches that seek to achieve this status, including a 10-year observation period between the time of the application and the time it is granted.

The 1998 law allows non recognized religious groups to seek official status as “confessional communities” without the fiscal and educational privileges available to recognized religions. To apply groups must have at least 300 members and submit to the Government their written statutes describing the goals, rights, and obligations of members; membership regulations; officials; and financing. Groups also must submit a written version of their religious doctrine, which must differ from that of any existing religion recognized or registered under the 1874 law or registered under the 1998 law, for a determination that their basic beliefs do not violate public security, public order, health and morals, or the rights and freedoms of citizens. The 1998 law also sets out additional criteria for eventual recognition according to the 1874 law, such as a 20-year period of existence (at least 10 of which must be as a group organized as a confessional community under the 1998 law) and membership equaling at least 2 one-thousandths of the country’s population. Many religious groups and independent congregations do not meet the 300-member threshold for registration; only Jehovah’s Witnesses meet the higher membership requirement for recognition. In 1998 Jehovah’s Witnesses received the status of a con-

fessional community. According to the law, after receiving such status, the group is subject to a 10-year observation period before they are eligible for recognition. In April 2001, the Constitutional Court upheld a previous Education Ministry finding that Jehovah's Witnesses must fulfill the required 10-year observation period.

Religious confessional communities, once they are recognized officially as such by the Government, have juridical standing, which permits them to engage in such activities as purchasing real estate in their own names, contracting for goods and services, and other activities. The category of religious confessional community did not exist prior to the adoption of the 1998 law. A religious organization that seeks to obtain this new status is subject to a 6-month waiting period from the time of application to the Ministry of Education and Culture. According to the Ministry, at the end of the period covered by this report, 13 organizations had applied for the status of religious confessional community, and 11 were granted the new status. The Church of Scientology and the Hindu Mandir Association withdrew their applications. The Hindu Mandir Association reapplied under the name Hindu Religious Community. The Ministry rejected the application of the Sahaja Yoga group in 1998.

The 11 religious groups that have constituted themselves as confessional communities according to the law are: Jehovah's Witnesses, the Baha'i Faith, the Baptists, the Evangelical Alliance, the Movement for Religious Renewal, the Free Christian Community (Pentecostals), the Pentecostal Community of God, the Seventh-Day Adventists, the Coptic-Orthodox Church, the Hindu Religious Community, and the Mennonites.

Religious associations that do not qualify for either religious society or confessional community status may apply to become associations under the Law of Associations. Associations are corporations under law and have many of the same rights as confessional communities, including the right to own real estate.

The Government provides subsidies to private schools run by any of the 12 officially recognized religions.

There are no restrictions on missionary activities. Although in the past non recognized religious groups had problems obtaining resident permits for foreign religious workers, administrative procedures adopted in 1997 have addressed this problem in part. The Austrian Evangelical Alliance, the umbrella organization for non recognized Christian organizations, has reported no significant problems in obtaining visas for religious workers. While visas for religious workers of recognized religions are not subject to a numerical quota, visas for religious workers who are members of non recognized religions do have a numerical cap; however, this appears to be sufficient to meet demand.

#### *Restrictions on Religious Freedom*

The 1998 law allowed 12 previously recognized religious societies to retain their status; however, it imposed new criteria on other churches that seek to achieve that status. Numerous religious groups not recognized by the Government, as well as some religious law experts, dismiss the benefits of obtaining status under the 1998 law and have complained that the law's additional criteria for recognition under the 1874 law obstruct claims to recognition and formalize a second class status for non recognized groups. Some experts have questioned the 1998 law's constitutionality.

Following a 1997 denial of recognition and a court appeal, in 1998 the Education Ministry granted Jehovah's Witnesses the status of a confessional community and the group immediately requested that it be recognized as a religious group under the 1874 law. The Education Ministry denied the application on the basis that, as a confessional community, Jehovah's Witnesses would need to submit to the required 10-year observation period. The group appealed this decision to the Constitutional Court, arguing that a 10-year observation period was unconstitutional. In April 2001, the Constitutional Court upheld the Education Ministry's finding. Jehovah's Witnesses filed an appeal with the Administrative Court, arguing that the law is illegal on administrative grounds. In 1998 Jehovah's Witnesses also filed a complaint with the European Court for Human Rights, arguing that the group had not yet been granted full status as a religious entity under the law, despite having made numerous attempts for more than 2 decades. Decisions on both appeals still were pending at the end of the period covered by this report.

The Government continued its information campaign against religious sects considered potentially harmful to the interests of individuals and society. In 1999 the Ministry for Social Security and Generations issued a new edition of a controversial brochure that described numerous non recognized religious groups in negative terms, which many of the groups deemed offensive. This brochure includes information on Jehovah's Witnesses, despite its status as a confessional community. The Federal Office on Sects continues to collect and distribute information on organizations considered sects. Under the law, this office has independent status, but its

head is appointed and supervised by the Minister for Social Security and Generations. The Federal Office on Sects has stated it intends to expand its staff to keep up with an increasing workload. According to its report to Parliament submitted in mid-2001 on its operations in 2000, the office received 3,953 inquiries regarding 231 different groups.

The Catholic Diocese of Linz, in conjunction with the provincial government of Upper Austria, has distributed a CD-ROM entitled "The Search for Meaning: an Orientation Guide to Organizations that Offer the Solution," which contains a strong endorsement by the Deputy Governor of the province. The CD-ROM includes information on a wide range of recognized and unrecognized religions ranging from the Roman Catholic Church to the Church of Scientology. It also contains criticism of recognized religions such as the Mormon religion and religious associations such as Jehovah's Witnesses. It has received a critical reception by unrecognized religious groups who find it derogatory and offensive to be lumped together with Satanic cults; the CD-ROM includes a testimonial from a man who is a former member of the Jehovah's Witnesses.

In the fall of 2001, there was concern among the Muslim community that there would be an increase in attacks on Muslims and their property. Although there were no attacks, some societal discrimination continued (See Section II). The Islamic Religious Community credits the long history of cooperation between the Government and Islam, which began during the last century. The Government also sent a strong statement against discrimination by repeatedly stating that the fight against terror was not a fight against Islam.

On April 3, 2002, the Jewish and Islamic communities released a joint statement calling for an end to violence in the Middle East. The declaration voiced concern about the spread of violence between Jews and Muslims in Europe. The statement was organized by government officials and was viewed as a symbol of the tolerance and history of cooperation between Jews and Muslims in the country.

The former head of the Freedom Party (FPÖ) and current Governor of Carinthia, Joerg Haider, repeatedly has made intolerant and anti-Semitic statements. These included verbal attacks against the head of the Jewish Community and a prominent Jewish-American campaign advisor prior to the Vienna local elections in March 2001. Although Haider repeatedly followed such statements with expressions of regret, his statements contributed to the widespread belief that he and some extreme elements of the FPÖ have contributed to a climate of intolerance in the country.

The conservative Austrian People's Party (ÖVP) position that party membership is incompatible with membership in a sect remained in force.

In 1999 the Constitutional Court ruled that denying prisoners who are members of Jehovah's Witnesses access to pastoral care because the organization was not a recognized religious society was a violation of the Constitution's provisions on religious freedom. The verdict stressed that pastoral care should be available to any person of any religious belief. Following this verdict, the Justice Ministry issued a decree in 2000 in which it instructed prison officials to make pastoral care available to prisoners who are members of Jehovah's Witnesses. Since this ruling, members of Jehovah's Witnesses have not reported any problems associated with prisoner access and pastoral care.

It remains unclear how the Constitutional Court verdict affects prisoners of other religious confessions, in particular those who are members of neither a recognized religious society nor a confessional community. Some groups have reported experiencing problems with access to pastoral care in isolated instances; however, there are no allegations of widespread problems. Access by the clergy of non recognized religious societies to hospitals and the military chaplaincy continues to be an area of concern.

The Government provides partial funding for religious instruction in public schools and churches for children belonging to any of the 12 officially recognized religions. The Government does not offer such funding to non recognized religious groups. A minimum of three children is required to form a class. In some cases, officially recognized religions decide that the administrative cost of providing religious instruction is too great to warrant providing such courses in all schools. Unless students 14 years of age and over (or their parents for children under the age of 14) formally withdraw from religious instruction (if offered in their religion) at the beginning of the academic year, attendance is mandatory.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations among the 12 officially recognized religious groups are generally amicable. Fourteen Christian churches, among them the Roman Catholic Church, various Protestant confessions, and 8 Orthodox and old-oriental churches are engaged in a dialog in the framework of the so-called "Ecumenical Council of Austrian Churches." The Baptists and the Salvation Army have observer status in the Council. The international Catholic organization "Pro Oriente," which promotes a dialog with the Orthodox churches, also is active in the country.

The Austrian Roman Catholic Church traditionally has been active in fostering amicable relations and promoting a dialog among the Christian, Jewish, and Islamic communities. The international Catholic group "Pax Christi," which pursues international inter religious understanding with projects involving Christianity, Islam, Judaism, and Buddhism, has a chapter in the country.

There were no reports of violence or vigilante action against members of religious minorities. However, there is widespread societal mistrust and discrimination against members of some non recognized religious groups, particularly against those considered to be members of sects. A large portion of the public perceives such groups as exploiting the vulnerable for monetary gain, recruiting and brainwashing youth, promoting antidemocratic ideologies, and denying the legitimacy of government authority. Societal discrimination against sects is, at least in part, fostered by the Government (see Section II).

Muslims have complained about societal discrimination. In Upper Austria, a controversy over a mosque in Traun received widespread press coverage. The mosque was demolished by authorities in March 2001, who cited building code violations. Members of the Muslim community alleged that the violations were only a pretext for authorities. They have reported problems in obtaining a new site for their religious services and believe that this is an attempt to encourage Muslims, most of whom are immigrants, to leave the area. The National Organization of Muslims in Austria has not intervened on behalf of the community in Traun.

Sensitivity to Scientology in the country remains high. The Church of Scientology has reported problems obtaining credit cards, and individual Scientologists have experienced discrimination in hiring.

In October 2001, a 17-year-old boy was charged with vandalizing 28 graves in an Islamic cemetery in Linz. The authorities stated that the boy was motivated by hatred of foreigners. He paid a fine to cover the cost of restoring the damage done to the graves. Two Jewish cemeteries also were desecrated during the period covered by this report. Despite these incidents, according to the Interior Ministry's 2001 annual report on rightwing extremism, there was a decrease for the second year in the number of complaints of anti-Semitic incidents. Compared with 2000, the number of complaints decreased by 67 percent, from 9 to 3.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

The U.S. Embassy monitors the Government's adherence to religious tolerance and freedom of expression as part of its evaluation of the Government's policies and commitments to freedom of expression.

The Ambassador and other Embassy officers regularly meet with religious and political leaders to reinforce the U.S. Government's commitment to religious freedom and tolerance and to discuss the concerns of nongovernmental organizations and religious communities regarding the Government's policies towards religion. In the fall of 2001, the Embassy made a special attempt to reach out to members of the Islamic community. In March 2001, the U.S. Government issued a statement that strongly criticized Joerg Haider's verbal attack against the leader of the country's Jewish community. The Embassy's Public Affairs Office highlights religious freedom and tolerance in a large number of its programs.

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**AZERBAIJAN**

The Constitution provides that persons of all faiths may choose and practice their religion without restrictions; however, there were some abuses and restrictions.

There was some deterioration in the status of respect for religious freedom during the period covered by this report. Religious groups reported delays in and denials of registration. Local authorities regularly monitor religious services. Officials at times arrested and harassed nontraditional religious groups.

Relations among religions generally were amicable; however, there is popular prejudice against Muslims who convert to non-Muslim faiths and hostility towards groups that proselytize, particularly Evangelical Christian and missionary groups.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy is engaged actively in monitoring religious freedom and maintains contact with the Government and a wide range of religious groups.

#### SECTION I. RELIGIOUS DEMOGRAPHY

According to official figures, the country has a total area of 33,774 square miles, and its population is approximately 8 million. There are no reliable statistics on memberships in various faiths; however, approximately 90 percent of the population is nominally Muslim. The rest of the population adheres to other faiths or consists of nonbelievers. Among the Muslim majority, religious observance is relatively low, and Muslim identity tends to be based more on culture and ethnicity than religion. However, in recent years, there has been a noticeable increase in interest in Islam, as well as other faiths. The Muslim population is approximately 60 percent Shi'a and 40 percent Sunni; differences traditionally have not been defined sharply, but there has been a growing trend towards segregation in recent years.

The vast majority of the country's Christians are Russian Orthodox whose identity, like that of Muslims, tends to be based as much on culture and ethnicity as religion. Christians are concentrated in the urban areas of Baku and Sumgait. Most of the country's Jews belong to one of two groups: The "Mountain" Jews are descendants of Jews who sought refuge in the northern part of the country more than 2,000 years ago, and a smaller group of "Ashkenazi" Jews, descendants of European Jews who migrated to the country during Russian and Soviet rule.

These four groups (Shi'a, Sunni, Russian Orthodox, and Jewish) are considered traditional religious groups. There also have been small congregations of Evangelical Lutherans, Roman Catholics, Baptists, Molokans (Russian Orthodox old-believers), Seventh-Day Adventists, and Baha'is in the country for more than 100 years. In the last 10 years, a number of new religious groups that are considered foreign or nontraditional have been established. These include "Wahhabist" Muslims, Pentecostal and Evangelical Christians, Jehovah's Witnesses, and Hare Krishnas.

There are fairly sizeable expatriate Christian and Muslim communities in the capital city of Baku; these groups generally are permitted to worship freely.

There is government concern about Islamic missionary groups (predominately Iranian and Wahhabist) that operate in the country, whose activities have been restricted in recent years. The Government closed several foreign-backed Islamic organizations as a result of reported connections to terrorist activity.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides that persons of all faiths may choose and practice their religion without restriction; however, there were some abuses and restrictions. Under the Constitution, each person has the right to choose and change his or her own religious affiliation and belief, including atheism, to join or form the religious group of his choice, and to practice his or her religion. The Law on Religion expressly prohibits the Government from interfering in the religious activities of any individual or group; however, there are exceptions, including cases where the activity of a religious group "threatens public order and stability."

A number of legal provisions enable the Government to regulate religious groups, including a requirement in the Law on Religion that religious organizations be registered by the Government. The Committee for Work with Religious Associations (SCWRA), which replaced the Department of Religious Affairs in June 2001, assumed responsibility for the registration of religious groups from the Ministry of Justice. Government authorities gave SCWRA and its chairman, Rafiq Aliyev, sweeping powers for registration; control over the publication, import, and distribution of religious literature; and the ability to suspend the activities of religious groups violating the law. However, there were some occasions when the SCWRA adopted an advocacy role with religious groups; for example, it assisted in the expedition of religious groups to a bookstore in Baku, and also intervened on behalf of a mosque that authorities campaigned to close down.

Registration enables a religious organization to maintain a bank account, rent property, and generally act as a legal entity. Lack of registration makes it difficult, but not impossible, for a religious group to function. The process is burdensome, and

there are frequent, lengthy delays in obtaining registration. Religious groups are permitted to appeal registration denials to the courts.

Unregistered groups were more vulnerable to attacks and closures by local authorities. Following a number of attacks in 1999, President Heydar Aliyev spoke publicly and in detail about the Government's commitment to religious freedom. As a result, a number of groups with long-pending registration applications were registered, including Pentecostal and Baptist churches, as well as Jehovah's Witnesses. In August 2001, religious groups were called upon to reregister with SCWRA, marking the third time that religious groups have been asked to reregister since the country's independence in 1991.

Under the new registration procedures, religious groups must complete a seven-step application process that is cumbersome, opaque, arbitrary, and restrictive. One of the primary complaints is the requirement to indicate a "religious center," which requires additional approval by appropriate government authorities if it is located outside the country. Board members also are required to provide their place of employment. Many groups have reported that SCWRA employees charged with handling registration-related paperwork repeatedly argued over the language in statutes and also instructed some groups on how to organize themselves. SCWRA has taken a particularly strict approach to the registration of minority religious communities outside of Baku, and has failed to prevent local authorities from illegally banning such communities.

By the end of the period covered by this report, only 125 religious groups successfully were registered, compared with 406 that were registered previously. Of the 125 registered groups, 107 are Muslim, 11 Christian, 4 Jewish, and 3 are of other faiths. SCWRA estimates that 2,000 religious groups are in operation; many have not filed for reregistration. Among minority religious communities that have faced reregistration problems was the Baptist denomination. Of its five main churches, only two have gained reregistration, and church officials complained that the actual number of registered churches has dropped over the years as a result of repeated reregistration demands by the Government. In January 2002, an Evangelical Lutheran Church in Baku finally was registered after a 2-year battle.

The Law on Religious Freedom also prohibits foreigners from proselytizing, and the Government enforces this provision of law. Another provision in the Law on Religious Freedom permits the production and dissemination of religious literature after approval is received from the Religious Affairs Department and with the agreement of local government authorities; however, the authorities also appeared to restrict individuals from importing and distributing religious materials selectively.

Muslim organizations are subordinate to the Spiritual Directorate of All-Caucasus Muslims, a Soviet-era Muftiate, which appoints Muslim clerics to mosques, monitors sermons, and organizes annual pilgrimages to Mecca for the Hajj. Although it remains the first point of control for Muslim groups wishing to register with SCWRA according to the Law on Religious Freedom, it also has been subject to interference by SCWRA, which has attempted to share control with the Spiritual Directorate over the appointment and certification of clerics and internal financial control of the country's mosques. Some Muslim religious leaders object to interference from both the Spiritual Directorate and SCWRA.

Religious instruction is not mandatory in public schools. In 2001 SCWRA campaigned to institute a mandatory religion course in all secondary schools. A draft textbook, authored by the SCWRA Chairman, includes a small portion on traditional faiths in the country, including some non-traditional Christian groups; however, it dedicates the majority of the text to Islam. Ministry of Education officials have not yet approved the class, which would conflict with constitutional laws protecting secular education.

Interfaith dialog is not well developed, although the Government has made some attempts to bring leaders of various faiths together for discussions. SCWRA convened leaders of various religious communities on several occasions to resolve disputes in private and has provided forums for visiting officials to discuss religious issues with religious figures. In October and December 2001, SCWRA and the Spiritual Directorate organized international conferences to address the issue of terrorism.

#### *Restrictions on Religious Freedom*

The Government restricted religious freedom during the period covered in this report. SCWRA continued to delay and deny registration to a number of protestant Christian groups, including five Baptist churches and the Baku International (Christian) Fellowship. At the end of the period covered by this report, the SCWRA had registered less than half the number of religious communities previously reg-

istered. Some groups reported that SCWRA employees tried to interfere in the internal workings of their organizations during the registration process (see Section II). Although unregistered religious groups continued to function, some reported official harassment, including break-ups of religious services and arrests and beatings of worshippers by police. SCWRA also failed to prevent local authorities from illegally banning minority groups outside of Baku.

In December 2001, SCWRA initiated legal proceedings to liquidate the ethnic Azeri "Love" Baptist church, which after a longstanding battle with authorities, gained registration

in 1999. SCWRA accused Sari Mirzoyev, the pastor of the church, of insulting Muslim fasting traditions in a sermon during the holy month of Ramadan. In April 2002, the church lost the case in court proceedings international observers described as biased. In May 2002, the church also lost an appeal, in a 15-minute court procedure during which judges reportedly prevented lawyers for the church from speaking. At the end of the period covered by this report, "Love" Baptist church continued to conduct services pending another appeal to the Supreme Court. However, Mirzoyev has been prohibited from conducting sermons since December 2001.

In April 2001, local police in Ganja banned a Baptist church from holding services; the head of SCWRA overrode this ban, and the church resumed services in December 2001.

Under the law, political parties cannot engage in religious activity, and religious leaders are forbidden from seeking public office. Religious facilities may not be used for political purposes.

Local law enforcement authorities regularly monitor religious services, and some observant Christians and Muslims are penalized for their religious affiliations. In 2001 local police reportedly routinely surveyed services at a legally-registered Baptist church in Baku. When a police officer was seen attending a service, he was fired from his job. Later police questioned the church's pastor and members of the congregation about their activities and employment. Although there are no legal restrictions to large groups of religious observers gathering publicly, it is discouraged by local authorities. Both Jehovah's Witnesses and the Pentecostal "Cathedral of Praise" church reported that authorities denied their requests to rent public halls for religious gatherings.

The Law on Religious Freedom expressly prohibits religious proselytizing by foreigners, and this is enforced strictly. Government authorities have deported several Iranian and other foreign clerics operating independently of the organized Muslim community for alleged violations of the law. In April 2002, Baku police also arrested a Russian citizen and member of the evangelical Christian Greater Grace Church, Nina Koptseva, along with two other worshippers on a busy Baku street. Koptseva was charged with propagating Christianity and deported to Russia; she and the church deny the charge.

Some religious groups continued to report restrictions and delays in the import of religious literature by some government ministries. SCWRA has facilitated the import of such literature. In July 2001, SCWRA Chairman granted permission for a shipment of English-language evangelical literature to a Baku bookstore, which the Department of Religious Affairs had delayed numerous times.

No religious identification is required in passports or other identity cards; however, in 1999 a court decided in favor of a group of Muslim women who sued for the right to wear headscarves in passport photos. Some local officials continued to prevent women from wearing the scarves. In spring 2002, students at Baku State University and the Baku Medical Institute reportedly were instructed to refrain from wearing headscarves to classes.

Three religious groups in Baku have sought the return of places of worship seized during the Soviet period. These were the city's European (Ashkenazi) synagogue, the Lutheran church and a Baptist church. Government authorities reportedly were resisting return of these properties. No action was taken during the period covered by this report.

Press reports indicate that in the breakaway Nagorno-Karabakh region, a predominantly ethnic Armenian area over which the authorities have no control, the Armenian Apostolic Church enjoys a special status. The Armenian Church's status also results in serious restrictions on the activities of other confessions, primarily Christian groups. The ongoing state of war (which is regulated by a cease-fire) has led to hostility among Armenians living in Nagorno-Karabakh toward Jehovah's Witnesses, whose beliefs prohibit the bearing of arms. Courses in religion are mandatory in Nagorno-Karabakh schools. The largely Muslim ethnic Azeri population in Nagorno-Karabakh, who fled the region during the conflict with Armenia in the 1990's, have not been able to return to the country.

*Abuses of Religious Freedom*

Sporadic violations of religious freedom by some officials continued. In the northern city of Khachmaz, there were numerous reports that local policemen regularly and severely beat Muslim worshippers, who have denied any wrongdoing and complained to government authorities. Some family members of the accused also were called in for questioning by police. Also during the period covered by this report, some Muslim worshippers in Ganja and Khachmaz reportedly were arrested and beaten as suspected Wahhabis with links to terrorism.

In many instances, abuses reflected the popular antipathy towards ethnic Azeri converts to Christianity and other nontraditional religions. For example, in January 2002, authorities arrested two ethnic Azeri worshippers at a small Pentecostal church in the city of Sumgait during a prayer meeting at a local apartment and sentenced them to 15 days imprisonment on charges of hooliganism. Police also detained and verbally abused others. In February 2002, Sumgait police charged and convicted three members of a local Baptist church for distributing bibles on the street and sentenced them to short prison terms. One of those detained, Rauf Gurbanov, reportedly was beaten severely.

In April 2002, three employees at a mosque in Ganja were detained for 3 weeks before being released. Beginning in December 2000, local police repeatedly detained and questioned the pastor and several members of the Greater Grace Church in the town of Ismayli, apparently at the instigation of local Muslim authorities. This harassment continued through April 2001, when the pastor and several members of the church were detained while on a picnic in the countryside. Two members of the congregation were arrested and sentenced to 7 days imprisonment for disobeying police orders. One was released prior to serving his full sentence due to poor health. Three members of the church reportedly have been fired from their jobs, and the pastor left the area in fear of further retribution.

Some government officials exacerbated popular prejudice against Muslims who convert to non-Muslim faiths by targeting Christian groups in media disinformation campaigns, making them vulnerable to local harassment. For example, since June 2001, the local press repeatedly has targeted the Adventist Development and Relief Agency (ADRA) and the long-existing Adventist Church in Ganja in a series of negative reports accusing both of religious proselytism and forced conversion of the local population. During the reregistration process, local authorities also periodically closed and interrupted prayer services at Adventist churches in Ganja and Nakhchivan and Baptist churches in Neftchilar and Shemakha.

There have been isolated instances of harassment of religious groups by local officials. In May 2001, Greater Grace services at a private apartment in Sumgait were interrupted by local authorities who demanded to see congregants' identification papers. The police took a key to the apartment, as well as several samples of Christian literature, video cassettes, and music. Although services resumed without interference the following week, local authorities were reviewing the church's right to continue using the apartment for services at the end of the period covered by this report.

Government authorities took various actions to restrict what they claimed were political and terrorist activities by Iranian and other clerics operating independently of the organized Muslim community. The Government outlawed several Islamic humanitarian organizations because of credible reports about connections to terrorist activities. The Government also deported foreign Muslim clerics it suspected of engaging in political activities. In May 2002, government authorities sentenced several members of a religious extremist group Hizb ut-Tahrir to 6–7 years imprisonment for allegedly planning terrorist attacks. There also were reports that the Government harassed Muslim groups due to security concerns. In April 2001, local and city authorities demolished a Baku mosque on grounds that it allegedly was constructed on a strategic site in the city.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations among religions generally were amicable; however, there is widespread prejudice against Muslims who convert to non-Muslim faiths, primarily Christianity and groups that proselytize. This has been accentuated by the unresolved conflict with Armenia over Nagorno-Karabakh. During the period covered by this report,

newspapers and television broadcasts depicted small, vulnerable religious groups as a threat to the identity of the nation, that undermined the country's traditions of interfaith harmony, which led to local harassment (see Section II).

During court proceedings in December 2001, the press negatively covered the "Love" Baptist church and its pastors. Television programs showed worshippers entering and exiting the church, and church officials alleged that this resulted in a decision by many to refrain from attending services. During the press campaign, a local vandal, who the authorities never caught, desecrated the church. Television media also targeted the Baku International Fellowship, comprised primarily of Western expatriates. Journalists questioned ethnic Azeri worshippers on why they chose to attend the church.

Religious proselytizing by foreigners is against the law, and there is vocal opposition to it.

Hostility also exists toward foreign (mostly Iranian and "Wahhabist") Muslim missionary activity, which partly is viewed as seeking to spread political Islam and therefore as a threat to stability and peace. The media targeted some Muslim communities that the Government claimed were involved in illegal activities. For example, the local press accused the Baku-based Abu Bakr Sunni Mosque of harboring Chechen mercenaries, and authorities launched a case against the mosque and its leader; the case later was dropped following a statement in defense of the mosque by the SCWRA Chairman. Another Sunni Mosque also was identified in the televised press as a suspected meeting area for a group of extremist Hizb ut-Tahrir members charged in May 2002 for terrorism.

Prominent members of the Russian Orthodox and Jewish communities report that there are no official or societal restrictions on their freedom to worship. In October 2001, approximately 50 Jewish tombstones at Baku cemetery were overturned. Local Jewish leaders reported that city and police authorities reacted quickly and apprehended the individuals responsible for the vandalism.

Hostility between Armenians and Azeris, intensified by the unresolved conflict over Nagorno-Karabakh, continues to be strong. In those portions of the country controlled by Armenians, all ethnic Azerbaijanis have fled, and those mosques that have not been destroyed are not functioning. Animosity toward ethnic Armenians elsewhere in the country forced most ethnic Armenians to depart, and all Armenian churches, many of which were damaged in ethnic riots that took place more than a decade ago, remain closed. As a consequence, the estimated 10,000 to 30,000 ethnic Armenians who remain in the country are unable to attend their traditional places of worship.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. During the period covered by this report, the Ambassador repeatedly conveyed U.S. concerns about the registration process to the Chairman of SCWRA and expressed strong concerns about the Government's commitment to religious freedom with others in the Government and publicly in the press. The Embassy also repeatedly expressed objections to media campaigns against ADRA and other U.S.-funded NGO's accused of religious proselytizing. In January 2002, the Assistant Secretary of State for European and Eurasian Affairs reinforced the defense of religious freedom with President Heydar Aliyev. This was underscored by a visiting representative from the Department of State's Office on International Religious Freedom in April 2002, who also met with members of Muslim, Jewish, and Christian faiths to hear their concerns.

The Ambassador and Embassy officers maintain close contacts with leading Muslim, Russian Orthodox, and Jewish religious officials, and regularly meet with members of non-official religious groups in order to monitor religious freedom.

In May 2002, Rafiq Aliyev, Chairman of SCWRA, visited the United States on a U.S. Government-sponsored visitor exchange program; he met with government officials and members of faith-based organizations.

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## BELARUS

The Constitution provides for freedom of religion; however, the regime restricts this right in practice.

The status of respect for religious freedom continued to be very poor during the period covered by this report. Head of State Alexander Lukashenko continued to

pursue a policy of favoring the Russian Orthodox Church, the country's majority religion, and the authorities continued to harass other denominations and religions. The regime has repeatedly rejected the registration applications of some of these, including many Protestant denominations, the Belarusian Orthodox Autocephalous Church (BAOC), and some eastern religions. Without registration, many of these groups find it difficult, if not impossible, to rent or purchase property to conduct religious services. The authorities continued to enforce a 1995 Cabinet of Ministers decree that restricts the activities of religious workers in an attempt to protect Russian Orthodoxy and curtail the growth of other religions. During the period covered by this report, Protestant and other non-Russian Orthodox religious groups continued to come under attack in the government-run media. Despite continued harassment, some minority faiths have been able to function if they maintain a low profile. On June 27, the lower house of Parliament gave its final approval to a new law on religion which would impose further severe restrictions on religious freedom. Despite reported efforts by the executive branch to secure its quick passage, the upper house postponed further consideration until the fall of 2002.

There are, for the most part, amicable relations among registered, traditional religious communities; however, societal anti-Semitism persisted, and sentiment critical of minority faiths continued to increase.

The U.S. Government discussed with the regime the poor human rights situation in the country and raised problems of religious freedom during such discussions. U.S. Embassy officials also discussed specific cases with the Government, and in June 2002, the U.S. Embassy in Minsk publicly called upon the authorities to ensure that a proposed draft law on religion ensure the right of all Belarusians to worship freely.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 76,810 square miles, and its population is approximately 9,990,000.

Over the past two centuries, sustained repression of the once majority Greek Catholic population under the Russian and Soviet empires, persecution of the Roman Catholic Church during the same period, and Soviet repression of much of the Russian Orthodox clergy, altered the religious landscape significantly and turned the Orthodox Church under the Moscow Patriarchate into the majority church in the country. Furthermore, seven decades of religious repression under the Soviet regime resulted in a culture that is largely secular in orientation. According to one 1998 opinion poll, less than half of the population believed in God. At the same time, approximately 60 percent identified for cultural or historical reasons with the Russian Orthodox Church. The state institution regulating religious matters, founded in 1997 as the State Committee on Religious and National Affairs and reconstituted in September, 2001, as the Committee of Religious and Nationalities Affairs of the Council of Ministers (CRNA), indicates that approximately 80 percent of all persons who profess a religious faith belong to the Russian Orthodox Church. Approximately 15 to 20 percent of all persons who profess a religious faith are estimated to be either practicing Roman Catholics or identify themselves with the Roman Catholic Church (the second largest religious grouping). Between 50,000 and 90,000 persons identify themselves as Jews. There are a number of Protestants and adherents to the Greek Rite Catholic Church and the Belarus Autocephalous Orthodox Church. Other minority religious faiths include, but are not limited to, the following: Seventh-Day Adventist, Old Believer, Muslim (the Supreme Administration of Muslims, abolished in 1939, reestablished in early 1994), Jehovah's Witnesses, Apostolic Christian, Calvinist, and Lutheran. A small community of ethnic Tatars, with roots in the country dating back to the 11th century, practices Islam.

The country was designated an Exarchate of the Russian Orthodox Church in 1989, thereby creating the Belarusian Orthodox Church. Patriarchal Exarch Filaret has served as head of the Orthodox community since 1978. Under Filaret's leadership, the number of Orthodox parishes throughout the country had grown to approximately 1,260 by the end of the period covered by this report.

Situated between Poland and Russia, the country historically has been an area of interaction, as well as competition and conflict, between Russian Orthodoxy and Roman Catholicism. Cardinal Kazmierz Swiatek, Archbishop of the Minsk-Mogilev Archdiocese, heads the approximately 400 Roman Catholic parishes. The Roman Catholic presence traditionally has been stronger in areas under Polish influence; however, the ethnic Polish community, numbering at least 400,000 persons, does not account for the total number of Roman Catholics. Although Roman Catholic parishes are found throughout the country, most Roman Catholics reside in areas located in the west and north, near the border with Poland and Lithuania. This con-

centration is due in part to the more thorough suppression of the Roman Catholic Church in eastern districts in imperial and Soviet times. Sensitive to the dangers of the Roman Catholic Church being viewed as a “foreign” church or as a political threat, Cardinal Swiatek, who himself spent 10 years in a Soviet labor camp, has tried to keep the Church out of the country’s internal political problems. Although the Cardinal has prohibited the display of Polish national symbols in churches and encouraged the use of Belarusian, rather than Polish, in church services, some priests continued to conduct services in Polish.

It is estimated that approximately 120,000 citizens were considered to have Jewish “nationality” near the end of the Soviet period in 1989, compared to between 50,000 and 90,000 at the end of the period covered by this report. At least half of the present Jewish population is thought to live in or near Minsk. In April 2002, a Jewish Community Center, funded by the American Joint Distribution Committee, opened in Minsk. A majority of the country’s Jews are not actively religious. Of those who are, most are believed to be either Reform or Conservative. There is also a small but active Lubavitchrun Orthodox synagogue in Minsk.

Adherents of Protestant faiths, although representing a relatively small percentage of the population, are growing in number. Since 1990 the number of Protestant congregations, registered and unregistered, has more than doubled and totals more than 1,000, according to state and independent sources. Protestant faiths, although historically small in comparison with Orthodoxy, have been active in the country for hundreds of years. During the Soviet period, a number of Protestant faiths were placed forcibly under the administrative umbrella of a joint Pentecostal-Baptist organization. The two largest Protestant groups are registered under separate Pentecostal and Baptist unions. A significant number of Protestant churches, including charismatic and Pentecostal groups, remain unregistered.

There are a number of congregations of the Greek Rite Catholic Church, which was once the majority religion. The Greek Catholic Church was established in the 16th century and once had a membership of approximately threequarters of the population. It was banned by the Russian Government in 1839 and severely persecuted in the 1860’s and again in 1946. Following the 1991 reestablishment of Belarusian independence, the attempt to revive the Church, which maintains Orthodox rituals but is in communion with the Vatican, has had only limited success.

## SECTION II. STATUS OF FREEDOM OF RELIGION

### *Legal/Policy Framework*

The Constitution provides for freedom of religion; however, the regime restricts this right in practice. Although Article 16 of the 1996 amended Constitution—which resulted from an illegal referendum used by Lukashenko to broaden his powers—reaffirms the equality of religions and denominations before the law, it also contains restrictive language that stipulates that cooperation between the State and religious organizations “is regulated with regard for their influence on the formation of spiritual, cultural, and country traditions of the Belarusian people.”

There is no State religion. Since his election as the country’s President in 1994, Lukashenko, who has called himself an “Orthodox atheist,” has pursued a policy of favoring the Russian Orthodox Church as the country’s chief religion and harassing other non-Russian Orthodox denominations and religions. In a June 2001 meeting with Aleksiy II, Patriarch of Moscow, Lukashenko said that “fundamentally, Orthodoxy is the basis of our state.”

The authorities generally view Russian Orthodoxy, as well as Roman Catholicism, Judaism, Islam, and Evangelical Lutheranism as being “traditional” religions. They regard other religions as “nontraditional,” and yet others, such as eastern religions, as “sects.” Although considered to be nontraditional, Protestant groups sometimes also are considered to be sects. The authorities deny permission to register legally at the national level to some faiths considered to be nontraditional, and to all of those considered to be sects. The CRNA claims that 26 religious denominations are registered officially; however, the significance of this figure is uncertain. Some congregations are registered only on a local basis, which entails only limited rights. Only congregations registered nationally are allowed to invite foreign religious workers and open new churches. While all registered religious organizations enjoy tax-exempt status, government subsidies appear limited to the Russian Orthodox Church. Government employees are not required to take any kind of religious oath or practice elements of a particular faith.

Presidential Edict #516 of September 24, 2001, reconstituted the State Committee for Religious and Nationalities Affairs as the Committee of Religious and Nationalities Affairs of the Council of Ministers (CRNA).

Following Alexander Lukashenko's lead, the authorities have pursued a policy of favoring the Russian Orthodox Church as the country's chief religion and harassing other non-Russian Orthodox denominations and religions. During his May 2002 Easter address, Lukashenko said "The State has always stayed and will stay beside the church, which brings good to the people." Prime Minister Gennadi Novitsky said, "The State does what it can to assist with renovation and construction of churches" and added, "due to the continuous effort of the Church, [the Church's] authority in the country has grown significantly." The authorities encourage a greater role for the Russian Orthodox Church largely as part of an overall strategy to strengthen "Slavic unity" in the region and promote greater political unification between Belarus and Russia. Lukashenko grants the Russian Orthodox Church special financial advantages that other denominations do not enjoy and has declared the preservation and development of Russian Orthodox Christianity a "moral necessity." In May 2002, the Government earmarked approximately \$570,000 (1 billion Rubles) towards the construction of an Orthodox Church in Mogilev. From March 18 to 20, Russian Orthodox Patriarch Alexei II paid his fifth visit to the country and opened the House of Mercy. The House of Mercy, funded by the Orthodox Church and international donations, is expected to provide assistance to the disabled and infirm, as well as the poor. While in Minsk, Alexei II awarded Lukashenko a prize for his efforts to unite Slavic peoples. Earlier, following a \$100,000 donation to the Russian Orthodox Church in January 2001, Alexei awarded Lukashenko the prize of the Unity of Slavic Peoples for his efforts in defense of Russian Orthodoxy.

Under regulations issued in March 2001, the regime allows representatives of foreign religious organizations to be invited to visit the country (a requirement for obtaining a visa) only upon agreement with the CRNA, even if their visit is for non-religious purposes, such as charitable activities. The inviting organization must make a written request to invite foreign clergy, including the dates and reason for the visit. The CRNA has 20 days in which to respond and there is no provision for appeal of the CRNA's decision. In April 2001, the regime enacted changes to the civil code to restrict "subversive activities" by foreign organizations in the country. A new clause prohibits the establishment of offices of foreign organizations, "the activities of which are aimed at ... the inciting of national, religious and racial enmity, as well as activities which can have negative effects on the physical and mental health of the people."

#### *Restrictions on Religious Freedom*

On June 27, 2002, the lower house of Parliament gave its final approval to a new law on religion. Despite reported efforts by the executive branch to secure its quick passage, the upper house postponed further consideration until the fall. The draft law contained a number of elements considered by many religious groups to be very restrictive and which could be used to hinder and possibly prevent the activities of evangelical Christian and other religious groups. The draft was introduced partly in response to appeals by the Russian Orthodox Church; in a public meeting with members of the Parliament's human rights committee in May 2001, Russian Orthodox Archbishop Maksim of Mogilev and Mstislavl publicly called for a new law on religion that would protect the "dominant" status of the Russian Orthodox Church in the country, introduce religious education in secondary schools, and ban the spread of nontraditional denominations. Valery Lipkin, chairman of the committee, asserted that the proposed new law would ban the spread of "destructive sects" in the country.

Before and during the June 2002 debate on the draft law on religion, several deputies in the lower house of the Parliament made statements that were xenophobic and anti-Semitic. Deputy Sergei Kastsyan reportedly charged that the adoption of the draft law was necessary to "put up a barrier against all these Western preachers who just creep into Belarus and discredit our Slavic values." During the June 26 debate in the lower house, at least one deputy argued that Jews should not be considered to be citizens of Belarus. Another deputy suggested that a "reservation" be established for religious minorities.

The authorities continued to deny permission to register legally at the national level to some faiths considered to be nontraditional, and to all considered to be sects. The authorities assert that they deny some groups permission to register as religious organizations because their activities "run counter to the Constitution." With or without official registration, some religious faiths have great difficulty renting or purchasing property in which to establish places of worship, in building churches (e.g., the Greek Catholics), or in openly training clergy.

The authorities continued to refuse to register the BAOC, and local courts continued to refuse to hear the BAOC's appeals. The Government claimed that Father Ian Spasyuk was offered the possibility of registration in Berestovitsky district in 2001

if he dropped the word "Orthodox" from the Church name, which he refused to do. Although Father Ian Spasyuk is not recognized as a priest by the Government or the Russian Orthodox Church, he serves as the priest in charge of BAOC parishes in Belarus of a BAOC faction that has close ties to the Ukrainian Autocephalous Orthodox Church. This faction met in June of 2002, in an Extraordinary Meeting of the General Convention of BAOC held outside the country, and elected Bishop Alexander as the new Metropolitan Primate of the BAOC. The BAOC is unable to train a sufficient number of priests to meet the growing needs of its parishioners in its 70 parishes because of its inability to register a seminary.

Since 1992 the authorities have refused to register the Hindu group "Light of Kaylasa."

According to the Government, the law permits residential property to be used for religious services once it has been converted from residential use. The Housing Code, adopted in 1999, permits the use of such property for nonresidential purposes with the permission of local executive and administrative bodies. In 2000 local authorities began enforcing this statute, effectively requiring all religious organizations to reregister their properties. Although government figures indicate that 110 religious communities, including 34 Protestant denominations, had their property registered through this process, one Protestant group reported that over 50 percent of Protestant groups were denied registration by local authorities during the reregistration period. The authorities continue to deny permission to many Protestant churches, such as the Full Gospel Pentecostal Church, as well as other nontraditional faiths, to convert their properties to religious uses since these groups are not registered religious groups. However, in order to become a registered religious group, an organization must have a legal address. Religious groups that cannot register often are forced to meet illegally or in the homes of individual members. A number of nontraditional Protestant faiths have not attempted to register because they do not believe that their applications would be approved.

During the period covered by this report, many Protestant and nontraditional groups experienced problems obtaining property. The CRNA had not acted on a May, 2002 application by the Hare Krishna organization for permission to construct a center in Minsk. They also had not granted permission to the registered New Life Evangelical Church to build a church in Minsk.

Following a stampede that killed 53 people during an outdoor concert in Minsk in 1999, the Government issued a decree specifying measures to ensure public order and safety during public gatherings. Meeting hall officials have cited this decree as a basis for canceling or refusing to extend agreements with religious groups for the use of their facilities. Nontraditional groups, including the New Life Evangelical church, were unable to rent space in meeting halls to conduct prayer services. Although the Catholic Church opened a new church in Minsk in the first half of 2002, it cited difficulties in receiving permission from local authorities to build additional churches in Minsk.

Although it is registered officially, the Greek Catholic Church is in disfavor with the Lukashenko regime because of historical tensions between the Greek Catholic and Russian Orthodox Churches and also because of its emphasis on the use of the Belarusian language. Along with some Protestant denominations, some Greek Catholic congregations also experienced difficulties renting venues for conducting services.

There were no reports of religious groups being evicted from property during the period covered by this report.

The state-run media continued to attack Protestant and especially evangelical Christian groups. In January 2002, the government-run newspaper *Narodnaya Gazeta* repeated a story originally printed in a local newspaper in the town of Staraie Dorogi asserting that the December 2000 death of a deacon of the Union of Evangelical Faith Christians was an act of church sacrifice. According to the article, the church denied the requests of the deacon's mother to provide medical assistance to her son who was dying of liver cirrhosis. Following his death, the mother accused the church of deliberately poisoning her son in order to sacrifice him. This story also had been covered during an April 2001 episode of a television program called "Human Rights: A Look at the World." The show's host, Yevgeny Novikov, interviewed the deacon's mother, who accused the church of "sacrificing" her son. In May 2001, the Union of Evangelical Faith Christians filed a slander suit against Novikov, the Belarusian Television and Radio Company, *Narodnaya Gazeta*, and the deacon's mother. The case still was pending at the end of the period covered by this report. The deacon's mother filed a suit against the Union of Evangelical Faith Christians and the pastor of the church in Staraie Dorogi for moral damages. Her case, which originally was thrown out by a Minsk court, was reinstated, but no verdict was reached during the period covered by this report.

In September 2001, another episode of the television series "Human Rights" accused nontraditional faiths of being destructive and undermining society. Following the broadcast of this program, which took place just before the Presidential elections, several evangelical Christian organizations reported a sharp increase in harassment and attacks against religious property (see Section III).

In the April 6, 2002 issue of *Narodnaya Gazeta*, State Procurator Stanislav Novikov, who oversees religious affairs in the country for the State Procurators' Administration, wrote that the expansion of non orthodox groups, particularly Roman Catholics and Protestants, into areas of the country where they had not practiced in the past, contributed to rising tensions between Orthodox and non orthodox citizens.

In March 2002, several articles published in the state run media repeated attacks by government officials against Protestants and other "nontraditional" faiths. An article titled "The Noose of Charisma" that referred to evangelical Christianity as being among the "children of neocult trends" appeared in the Government owned *Sovietskaya Belarusiya* newspaper. After receiving complaints from evangelical Christians, the editor of *Sovietskaya Belarusiya* issued a public apology. A March 13 news report quoted the Moscow District Territorial Center of Social Services in Minsk as claiming that many higher education students are victimized by religious sects, classifying the Unification Church, Jehovah's Witnesses, and the Church of Father Leonid Pliatt as being the "most dangerous." According to the press report, the center focuses on "preventive measures" such as distributing information on such groups, counseling, and "post cult adaptation."

During a March 16, 2002 interview with the newspaper *Seven Days*, Alexander Titovets, a member of the Committee on Religious and Nationality Affairs in the Council of Ministers, called for a moratorium on nontraditional religions and cults operating in the country. In a March 20, 2002, interview with the Interfax news service, Valentina Bulovkina, a representative of the Minsk municipality branch of the CRNA, labeled both the Church of Scientology and the Unification Church as "destructive" and illegally operating within the country.

The Keston News Service reported that in its last issue of 2001, a newspaper owned by the local administration in Vitebsk published an article entitled "Curb Catholic Expansion!" which called for the banning of the Roman Catholic Church.

In April, 2001, the official newspaper of the armed forces published an article that listed 74 "destructive sects," including many eastern religions, the Church of Jesus Christ of Latter-Day Saints (Mormons), and Jehovah's Witnesses, and urged all military personnel to avoid such organizations.

In 2000 a series of state television documentaries entitled "Expansion" targeted Protestants, especially Pentecostals, and Catholics as destructive groups that engage in fanatical rituals and pose a threat to society. In March and April 2001, another series shown on state television accused Protestant churches of engaging in human sacrifices, poisoning children, and other "destructive rituals." In the series, CRNA officials claimed that Protestant groups were undermining the authority of the regime, were agents of the West, and needed to be banned from the country. The CRNA and the courts rejected efforts by Catholic and Protestant groups to halt these broadcasts.

Citizens theoretically are not prohibited from proselytizing; however, while individuals may speak freely about their religious beliefs, the authorities often intervene to prevent, interfere with, or punish individuals who proselytize on behalf of an unregistered religion. The regime continued to enforce a 1995 Council of Ministers decree that regulates the activities of religious workers. A 1997 Council of Ministers directive permits the teaching of religion at youth camps for registered religious groups.

Foreigners generally were prohibited from preaching or heading churches that the authorities view as nontraditional faiths or sects, which include all Protestant groups. Foreign missionaries were not permitted to engage in religious activities outside of the institutions that invited them. The law requires 1-year validity, multiple entry, "spiritual activities" visas for foreign missionaries. Such visas can be difficult to obtain, even for faiths that are registered with the authorities and have a long history in the country. In the past, foreign clergy or religious workers who did not register with the authorities or who tried to preach without government approval or without an invitation from, and the permission of, a registered religious organization, have been expelled from the country; however, there were no reports of such expulsions during the period covered by this report. Approval for visits by foreign clergy or religious workers often involves a lengthy bureaucratic process. In 2000 a pastor of a Protestant church in Brest was warned and later fined by city authorities for allowing a foreigner to preach at a church conference. Internal affairs agencies may expel foreign clergymen from the country by not extending their reg-

istration or by denying them temporary stay permits. These authorities may make decisions on expulsion on their own or based on recommendations from Religious Affairs Councils, regional executive committees, or from the Religious Affairs Department of the Executive Committee of the city of Minsk. There were no reported instances of the use of this power during the period covered by this report; however, in April 2001, relying on these regulations, Minsk city authorities refused to extend the registration of the foreign pastor of a Pentecostal church.

As a result of its revival since 1991, the Roman Catholic Church has experienced a shortage of qualified native clergy. At times the Church has had difficulty getting permission from the authorities to bring in a sufficient number of foreign religious workers, mostly from Poland, to make up for the shortage. After a long delay, the Lukashenko regime gave permission to the Catholic Church to open a seminary in Grodno in 1989. A second seminary was opened in Pinsk in September 2001. The regime indicated that in light of these new seminaries foreign priests no longer would be allowed to work in the country. However, this change was not always enforced at the local level, and at least some foreign priests still were allowed to work in the country. Bishops must receive permission from the CRNA before transferring a foreign priest to another parish.

Restitution of religious property remained limited during the period covered by this report. There is no legal basis for restitution of property that was seized during the Soviet and Nazi occupations, and the law restricts the restitution of property that is being used for cultural or educational purposes. Many former synagogues in Minsk are used as theaters, museums, sports complexes, and even a German-owned beer hall; most of the Jewish community's requests to have these synagogues returned have been refused. The few returns of property to religious communities have been on an individual and inconsistent basis, and local government authorities in general are reluctant to cooperate. Over the past several years, the Jewish community has lobbied the authorities successfully to return several properties in Minsk and other cities; however, most properties have not been returned. According to the Government, three synagogues were returned to the Jewish community in 2001; however, one Jewish group contends that only one was returned. Although the Catholic Church has been somewhat successful in obtaining former Church property, the Catholic Church also has encountered difficulty in lobbying for the return of property. At the end of the period covered by this report the Catholic Church reported that it had been unable to secure the return of 21 former Catholic churches. The Greek Catholic Church has indicated that only one of the many houses of worship taken from it when the region was annexed to the Russian Empire had been returned to it. The Russian Orthodox Church appears to have had the most success on the issue of property restitution; however, a number of restitution claims by the Russian Orthodox Church remained unresolved at the end of the period covered by this report.

Regime officials took a number of actions that indicated a lack of sensitivity toward the Jewish community. In December 2001 the Jewish community appealed an earlier court decision affirming the right of a State owned publishing company, the Orthodox Initiative, to publish an anti-Semitic book, "The War According to Mean Laws," which, among other anti-Semitic writings, included the "Protocols of the Elders of Zion" and blamed Jews for societal and economic problems in the country. This appeal was denied. The judge in the original case had declared that the book contained "scientific information" and therefore was not within the jurisdiction of the court. In addition, in April 2002 Sergei Katsyan, who distributed the book during the opening session of the Parliament in November 2000, was named head of a Government-run publishing house, with Yevgeny Novikov as his deputy. Finally, the authorities made no discernible effort to find those responsible for the fire bombing of a Minsk synagogue in December 2001 (see Section III).

On January 6, 2002, the State owned radio company suddenly cancelled live radio transmission of a Catholic Mass in Minsk, which had been broadcast on Sundays for 8 years. Broadcasting officials insisted that the cancellation was an ordinary change in schedule lineup, however, some observers connected it with other manifestations of hostility toward the Catholic Church. Subsequently, representatives of the Catholic Church indicated that the cancellation was a mistake. The broadcasts had resumed by the end of the period covered by this report.

There were no reports of discrimination against religious adherents in the military services. Those who object to serving in armed units work in either construction or engineering battalions. Service in such units is twice as long as service in the regular army.

On May 16, 2002, the CRNA filed a complaint with the Ministry of Information against the Belarusian Association of Full Gospel Christians for distributing their newsletter "The Good News" near the main Orthodox church in Minsk on May 5.

The CRNA cited complaints by Orthodox worshipers, who were offended by the distribution of Protestant literature near the Orthodox Church.

There were no reports of restrictions on the importation of religious literature.

A practitioner of a nontraditional faith, especially one not permitted to register, could be at a disadvantage in regard to advancement within the government bureaucracy or the state owned sector of the economy.

#### *Abuses of Religious Freedom*

Throughout the period covered by this report, police disrupted some services or religious meetings which were being conducted peacefully in private homes when held by religious groups that have not been able to register or that were considered to be nontraditional. Protestant, Hindu, and Hare Krishna groups all reported police disruption of religious gatherings. According to one evangelical Christian group, police regularly brokeup prayer meetings and brought charges against worshippers who belonged to unregistered religious groups. For example, in October 2001, local authorities in Minsk detained the pastor of an unregistered Protestant church for holding an unsanctioned religious ceremony. This church reported that there had been no incidents of this sort since April 2002.

Unlike in the previous reporting period, there were no reports of the detention of members of Protestant religious groups for distributing unregistered religious materials; however, on June 6, 2002, a court fined three Baptists approximately \$113 (200,000 rubles) each for singing religious songs in a public place in the town of Lepel, in the Vitebsk region. Six other individuals were given official warnings, and two were acquitted. These Baptists, who belong to a group that refuses to register with the authorities in any of the post-Soviet republics where they are active, were charged officially with participating in an unsanctioned demonstration, a provision of the law usually directed against political groups but occasionally is used in religious cases.

Beginning in May 2002, local authorities in Grodno Oblast harassed workers who were constructing a building on the property of BAOC leader Ian Spasyuk. They ordered him to suspend construction on June 10, despite the fact that they had granted him permission in July 2001 to construct the building. The local authorities claimed that Spasyuk was building a church on the property for which he had received permission to build a dwelling. At the end of the period covered by this report, authorities were reported to be making plans to revoke the original permit. In July 2000, security forces twice raided the BAOC in the village of Pogranichny, near Grodno, for conducting religious services without registration. Also in July 2000, security forces arrested BAOC priest Ian Spasyuk on charges of conducting services without a permit. He later was sentenced to 5 days' imprisonment for allegedly resisting arrest. On May 21, 2001, authorities again arrested Spasyuk while he was attempting to hold a service in the village of Radaulyany (Berestavitsky district). Authorities then summoned Spasyuk and his wife to a local court where, in a closed hearing and without the ability to call witnesses or obtain legal assistance, Spasyuk was detained and then fined for petty hooliganism.

On July 4, 2001, the Keston News Service reported that charges were dropped against 20 members of a messianic Jewish group who had been detained for several days in Minsk in April and May for attempting to distribute religious literature. Charges were also dropped against the editor of the newspaper Slovo, in which the religious literature had been included as a supplement. In May 2001, the organization had attempted to hang posters in central Minsk congratulating veterans of World War II on victory day. While attempting to hang posters, police under orders from the city department of the CRNA, briefly detained members of the group. The CRNA informed the group that "it would be offensive for veterans to receive congratulations from the Jews." Several members of the group had some of their property confiscated.

The Keston News Service reported that in July 2001, after several years without difficulties, Pastor Veniamin Brukh, a Ukrainian pastor of the 1000-member Church of Jesus Christ in Minsk, was charged with "carrying out religious activity without permission." The Church of Jesus Christ is affiliated with the Union of Full Gospel Churches. Pastor Brukh was charged in the presence of a member of the Minsk city council and a representative of the CRNA, which in April 2001 had refused to renew his permission, as a foreigner, to engage in religious activity. He subsequently left the country.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

There are, for the most part, amicable relations among the registered, traditional, religious communities; however, societal anti-Semitism persisted and sentiment critical of minority faiths increased during the period covered by this report.

There have been some instances of vandalism that appeared related to societal anti-Semitism. In January 2002, the authorities in Brest arrested a 17-year-old for desecrating a Holocaust memorial. After being held for a month, the youth was released and failed to report to his trial. Local authorities did not pursue the case further. In March 2001, unknown vandals destroyed nine tombstones in a Jewish Cemetery in Vitebsk. In December 2001, unidentified assailants threw fire bombs at a synagogue in Minsk. A security guard was able to extinguish the fire before serious damage occurred. No progress was reported on the investigation of the incident by the end of the period covered by this report.

According to the Anti-Defamation League and the World Jewish Congress, there are a number of small ultranationalist organizations on the fringes of society, and a number of newspapers regularly print anti-Semitic material. One of these newspapers, *Slavianskaia Gazeta*, although distributed locally, reportedly was published in Moscow. Anti-Semitic material from Russia also circulates widely.

Many in the Jewish community remain concerned that the Lukashenko regime's plans to promote greater unity with Russia may be accompanied by political appeals to groups in Russia that tolerate or promote anti-Semitism. Lukashenko's calls for "Slavic solidarity" were received well and supported by anti-Semitic, neo-Fascist organizations in Russia. For example, the organization Russian National Unity (a neo-fascist, anti-foreign, anti-minority faith group) has an active local branch, and its literature is distributed in public places in Minsk. The concept of a "greater Slavic union," is a source of concern to the Jewish community in view of the nature of support that it engenders.

In the months before the September 2001 presidential elections, several Protestant groups reported an increase in harassment, including the desecration of churches throughout the country. According to one evangelical Christian group, arsonists destroyed at least three evangelical churches. Many Protestant and evangelical Christian groups reported that harassment continued, although at a significantly decreased level following the presidential elections. In January 2002, one evangelical Christian group reported that vandals attacked a guard at one of their churches and tied him up. An eyewitness reported that they painted pentagrams on church walls and that a dead cat was found "sacrificed" in the church. One Baptist organization reported that unknown individuals smashed the windows of several Baptist churches.

The country's small Muslim community, with roots dating to the Middle Ages, does not report significant societal prejudice. There were no reports that they experienced vandalism during the period covered by this report.

There is no indication that the Russian Orthodox Church has changed its view that it would cooperate only with religious faiths that have "historical roots" in the country. In a May 2001 speech to the All Belarusian People's Congress, Minsk Patriarchal Exarch Filaret called for the authorities to cooperate with the Russian Orthodox Church to protect the "spiritual security" of the people and to limit the presence of "destructive and pseudo-Christian societies that destroy the spiritual, social, and cultural unity of the people." Despite regime and Russian Orthodox statements that Jewish, Muslim, and Roman Catholic groups support the draft law on religion, many non-Russian Orthodox leaders, including Jewish and Roman Catholic leaders, have either criticized or opposed it (see Section II).

Most local human rights nongovernmental organizations do not focus significant resources on religious freedom concerns.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy raised problems of religious freedom with the authorities in the context of frequent discussions on the poor human rights situation in the country. In June 2002, the Embassy released a public statement calling on the authorities to take the necessary measures to ensure that the proposed draft law on religion provides all citizens with freedom of religion. Embassy representatives also discussed religious freedom issues with representatives of registered and unregistered religious groups. The Embassy has worked with the Organization for Security and cooperation in Europe as well as the embassies of several other countries to promote religious freedom in the country.

Officials of the U.S. Department of State met on a number of occasions with representatives of the Government of Belarus in Washington, D.C. to support respect for religious freedom and to address other human rights concerns.

## BELGIUM

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government took action against groups that it considers “harmful sects.”

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

There are generally amicable relations among different religious groups in society; however, several religious groups complain of discrimination, particularly groups that have not been accorded official “recognized” status by the Government, and those associated primarily with immigrant communities.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 12,566 square miles and its population is approximately 10.3 million.

The population is predominantly Roman Catholic. Approximately 75 percent of the population nominally belongs to the Catholic Church. The Muslim population numbers approximately 350,000, approximately 90 percent of whom are Sunni. Protestants number between 90,000 and 100,000. The Greek and Russian Orthodox churches have approximately 100,000 adherents. The Jewish population is estimated at 40,000, and the Anglican Church has approximately 21,000 members. The largest non recognized religions are Jehovah’s Witnesses, with approximately 27,000 baptized members, and the Church of Jesus Christ of Latter-Day Saints (Mormons), with approximately 3,000 members. According to the Government, nonconfessional philosophical organizations (or “laics”) have 350,000 members; however, the laics claim 1.5 million members. Unofficial estimates indicate that approximately 10 percent of the population does not identify with any religion.

According to a 1999 survey by an independent academic group, only 11.2 percent of the population attend weekly religious services. However, religion still does play a role in major life events—65 percent of the children born in the country are baptized; 49.2 percent of couples opt for a religious marriage; and 76.6 percent of funerals include religious services.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

The Government accords “recognized” status to Roman Catholicism, Protestantism (including evangelicals), Judaism, Anglicanism, Islam, and Orthodox Christianity (Greek and Russian). These religions receive subsidies from government revenues. The Government also supports the freedom to participate in laic organizations. These secular humanist groups serve as a seventh recognized “religion” and their organizing body, the Central Council of Non-Religious Philosophical Communities of Belgium, receives funds and benefits similar to those of the six other recognized religions.

By law each recognized religion has the right to provide teachers at government expense for religious instruction in schools. The Government also pays the salaries, retirement, and lodging costs of ministers and subsidizes the construction and renovation of church buildings for recognized religions. The ecclesiastical administrations of recognized religions have legal rights and obligations, and the municipality in which they are located must pay any debts that they incur. Some subsidies are the responsibility of the federal government while the regional and municipal governments pay others. According to an independent academic review, government at all levels spent \$523 million (23 billion Belgian francs) on subsidies for recognized religions in 2000. Of that amount, 79.2 percent went to the Catholic Church, 13 percent to secular humanist groups, 3.5 percent to Muslims, 3.2 percent to Protestants, 0.6 percent to Jews, 0.4 percent to Orthodox Christians, and 0.1 percent to Angli-

cans. During 2001, the Muslim Executive Council applied for the first time for subsidies, and the Government announced that in 2002 it would recognize 75 mosques and pay salaries to imams assigned to these mosques. The Council, which is recognized by the Government, received funding; however, specific mosques and religious schools, which have not yet been proposed by the Council and thus are not recognized by the Government, received no funding. Taxpayers who object to contributing to these subsidies may initiate legal proceedings to challenge their contributions.

The Government applies the following five criteria in deciding whether or not to grant recognition to a religious group: 1) the religion must have a structure or hierarchy; 2) the group must have a sufficient number of members; 3) the religion must have existed in the country for a long period of time; 4) it must offer a social value to the public; and 5) the religion must abide by the laws of the State and respect public order. The five criteria are not listed in decrees or laws. The law does not define "sufficient," "a long period of time," or "social value." A religious group seeking official recognition applies to the Ministry of Justice, which then conducts a thorough review before recommending approval or rejection. Final approval of recognized status is the sole responsibility of the Parliament; however, the Parliament generally accepts the decision of the Ministry of Justice. A group whose application is refused by the Ministry of Justice may appeal the decision to the Council of State.

The lack of recognized status does not prevent religious groups from practicing their faith freely and openly. Non recognized groups do not qualify for government subsidies; however, they may qualify for tax-exempt status as nonprofit organizations.

#### *Restrictions on Religious Freedom*

In response to a number of highly publicized mass suicides and murders in France, Switzerland, and Canada by members of the Solar Temple cult (including some Belgian citizens who were leaders and members) in the mid-1990s, the Parliament in 1996 established a special Commission to examine the potential dangers that sects may represent to society, especially children, and to recommend policies to deal with those dangers. The Commission's 1997 report divided sects into two broadly defined categories. The Commission considered as the first category of sects (defined as "organized groups of individuals espousing the same doctrine with a religion") to be respectable and to reflect the normal exercise of freedom of religion and assembly provided for by fundamental rights. The second category, "harmful sectarian organizations," are defined as groups having or claiming to have a philosophical or religious purpose whose organization or practice involves illegal or injurious activities, harms individuals or society, or impairs human dignity. Attached to the report was a list of 189 sectarian organizations that were mentioned during testimony before the Commission (including groups such as Jehovah's Witnesses, the Church of Jesus Christ of Latter-Day Saints, the Church of Scientology, and the Young Women's Christian Association). Although the introduction to the list clearly stated that there was no intent to characterize any of the groups as "dangerous," the list quickly became known in the press and to the public as the "dangerous sects" list. The Parliament eventually adopted several of the report's recommendations but never adopted the list itself.

Some religious groups included in the 1997 parliamentary list continue to complain that their inclusion has resulted in discriminatory action against them. For example, in November 2001, the Church of Scientology was informed on the morning of a scheduled press conference that it could not use the International Press Center to announce its suit against the Commission's 1997 sect list. A representative of the Center reportedly cited the presence of the Church of Scientology on the list as a reason for the cancellation. However, several months later, the Center reviewed the refusal and decided that in the future the Church of Scientology could use the facilities. In October 2001, a non-profit bank, Fonds du Logement des Familles Nombreuses de Wallonie, rejected an application for a low-interest, government-subsidized home loan from a devotee of the International Society for Krishna Consciousness (ISKCON), commonly known as the Hare Krishna group. The bank's rejection letter cited ISKCON's financial interest as the seller of the home, ISKCON's inclusion on the parliamentary Commission's sect list, and a fear of financing the ISKCON movement as reasons for the loan refusal. In November 2001, according to press reports the City of Liege canceled an ISKCON permit to distribute free vegetarian food under the "Hare Krishna Food for Life" program, a weekly practice begun in 1997. The City reportedly cited disturbance of public order as the basis for the withdrawal of the permit.

Some courts in the Flanders region continued to stipulate, in the context of child custody proceedings and as a condition of granting visitation rights, that a noncustodial parent who is a member of Jehovah's Witnesses may not expose his or her chil-

dren to the teachings or lifestyle of that religious group during visits. These courts have claimed that such exposure would be harmful to the child; however, other courts have not imposed this restriction.

One of the primary recommendations of the 1997 parliamentary report was the creation of a government-sponsored Center for Information and Advice on Harmful Sectarian Organizations. The Center was open to the public in July 2000. The Center collects publicly available information on a wide range of religious and philosophical groups and provides information and advice to the public upon request regarding the legal rights of freedom of association, privacy, and freedom of religion. The Center's library is open to the public and contains information on religion in general as well as on specific religious groups including information provided by various groups. The Center is authorized to share with the public any information it collects on religious sects; however, it is not authorized to provide assessments of individual sectarian organizations to the general public and despite its name, the regulations prohibit it from categorizing any particular group as harmful.

The law creating the Center stipulates that the harmful nature of a sectarian group is to be evaluated in reference to principles contained in the Constitution, orders, laws, decrees, and in international human rights instruments ratified by the Government. The Center is required by law to publish a report on its activities every 2 years. In December 2002, the Center released its first report, covering the period from 1999 to 2000. The report reviewed the laws creating the Center, meetings in which the Center participated, and its projects. The report identified two responses by the Center to specific government requests: a "favorable" opinion of the European Center for Research and Information on Sectarianism in response to an inquiry from the Foreign Ministry and a "favorable" opinion of the Mormon Church in response to an inquiry from the Ministry of the Interior. The report also recommended that the Ministry of Justice draft a law to prohibit the abuse of a situation of "weakness."

An interagency coordination group designed to work in conjunction with the Center to coordinate government policy meets quarterly to exchange information on sect activities. The Government also has designated a national magistrate and 1 magistrate in each of the 27 judicial districts to monitor cases involving sects.

The 1997 parliamentary report also recommended that the country's municipal governments sponsor information campaigns to educate the public, especially children, about the phenomenon of harmful sects. A 1998 law formally charges the country's State Security with the duty of monitoring harmful sectarian organizations as potential threats to the internal security of the country. This law uses the same language as the Parliamentary Commission's report and defines "harmful sectarian organizations" as any religious or philosophical group that, through its organization or practices, engages in activities that are illegal, injurious, or harmful to individuals or society. A subgroup of law enforcement officials meets bimonthly to exchange information on sect activities. Most law enforcement agencies have an official specifically assigned to handle sect issues.

The Government permits religious instruction in public schools; however, students are not required to attend religion classes. Public school religion teachers are nominated by a committee from their religious group and appointed by the Minister of Education. All public schools have a teacher for each of the six recognized religions. A seventh choice, a nonconfessional course, is available if the child does not wish a religious course. Private Catholic schools receive government subsidies for working expenses and teacher salaries.

In February 2001 the Church of Scientology took legal action to force the return of documents including parishioners' confidential spiritual counseling folders seized in a 1999 police raid of church facilities and the homes and businesses of approximately 20 members. No arrests were made or charges filed against church members as a result of the original raid. The Church of Scientology also filed a complaint asserting that the Prosecutor's Office provided prejudicial statements to the press in violation of the country's secrecy laws regarding investigations. A second, smaller raid on the Church of Scientology's Brussels headquarters took place on February 8, 2001 and additional documents were seized. Most of the seized computer equipment was returned to the Church; however, the investigating magistrate continued to hold the documents from both raids at the end of the period covered by this report. On March 6, 2001, the Church filed a complaint against the Government with the U.N. Special Rapporteur on Religious Intolerance. On January 30, 2002, the Brussels Appellate Court ruled that the personal files were held lawfully by the investigating magistrate, that the Church compiled and maintained personal information in violation of privacy laws, and that the court was under no obligation to return the files.

After having suspended issuances from April to July 2000, the Government again suspended the issuance of visas to Mormon missionaries in November 2001. Although similar visas had been processed for decades without problems, the Government attributed the change in policy to the Foreign Worker's Act of 1999 requirement that religious workers obtain work permits before applying for a visa to enter the country for religious work. Mormon missionaries were told that they should re-apply for visas after obtaining the appropriate work permits. However, since Mormon missionaries are strictly volunteers who pay their own way and receive no salary or subsidy from the Church, they do not qualify for the required work permit. Negotiations between representatives of the Mormons and the Ministry of Interior, facilitated by the U.S. Embassy, led to a resumption of the issuance of visas in July 2000 under special temporary procedures. The Government halted the issuance of visas to Mormon missionaries under these temporary procedures in November 2001. After further meetings with Embassy and Mormon Church representatives, in June 2002, the Ministry of the Interior and the Ministry of Foreign Affairs agreed to exempt volunteer Mormon missionaries from the certificate requirement and to process all 85 pending visa applications.

In February 2002, police detained five American volunteer workers at an Assemblies of God school and media center for working without employment permits; four were deported shortly thereafter. The law requires employment permits, even for volunteers. However, since Assemblies of God volunteers pay their own way and receive no salary they do not qualify for the required work permit. The church leaders closed the school for the spring term in the wake of the deportations. The Assemblies of God is a member of the Evangelical Synod which in turn is represented on the officially recognized Protestant Synod. The Assemblies of God also is included on the parliamentary Commission's 1997 sect list. At the end of the period covered by this report, church officials continued to work with the Government to satisfy employment and immigration law requirements.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

There are generally amicable relations among different religious groups in society; however, several religious groups complain of discrimination, particularly groups which have not been accorded official "recognized" status by the Government and those associated primarily with immigrant communities.

In the spring of 2002, several anti-Semitic incidents directed at Jewish communities occurred, including a pro-Palestinian riot in Antwerp in April and fire bombings of synagogues in Brussels and Antwerp. Unknown persons fired automatic gunfire at a synagogue in Charleroi. Government officials strongly criticized the attacks on the Jewish community and increased security around synagogues and Jewish community buildings.

The President of the Muslim Executive Council reported increased anti-Islamic sentiment after the Fall of 2001. For example, a clearly deranged man attacked his Muslim neighbors in Brussels before committing suicide.

The President of the Muslim Executive Council reported that women and girls wearing traditional dress or headscarves in some cases face discrimination in private employment even though the law does not prohibit such dress. In January 2001, the Court of Cassation, the nation's highest court, ruled that municipal authorities could not deny an identification card to a woman wearing a headscarf.

At the national level, there is an annual general assembly of the National Ecumenical Commission to discuss various religious themes. The Catholic Church sponsors working groups at the national level to maintain dialog and promote tolerance among all religious groups. At the local level, every Catholic diocese has established Commissions for interfaith dialog.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

U.S. Embassy representatives discussed the issue of religious freedom throughout the period covered by this report with officials from the Ministries of Justice, Foreign Affairs, and Interior, as well as with Members of Parliament. Embassy officials also expressed concern regarding anti-Semitic incidents. There is an ongoing dialog

between the Embassy and the Ministry of Justice at the cabinet level regarding the implementation of recommendations of the 1997 parliamentary report on sectarian organizations. Embassy officials also met regularly with the Director of the Center for Information and Advice on Harmful Sectarian Organizations and closely monitored the Center's activities. Embassy officials continued to monitor the Government's progress toward implementing a permanent solution to the Mormon visa problem and the issuance of work permits for volunteer religious workers.

Embassy officials met with representatives of both recognized and non recognized religions that reported some form of discrimination during the period covered by this report.

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## BOSNIA AND HERZEGOVINA

The State Constitution of Bosnia and Herzegovina and the entity Constitutions of both the Federation and the Republika Srpska (RS) provide for freedom of religion, and individuals generally enjoyed this right in areas that are ethnically mixed or where they are adherents of the majority religion; however, the ability of individuals to worship in areas where theirs is a minority religion was restricted, sometimes violently.

Respect for religious freedom improved slightly during the period covered by this report. A significant increase in the number of refugees who returned to areas in which they constituted a religious minority indicated increased confidence among refugees that their religion and culture would be respected; however, these returns provoked a reaction by ethnic nationalists in some areas, who at times met the returnees' efforts to follow their faith with violence.

Religious intolerance in the country directly reflects ethnic intolerance because the identification of ethnicity virtually is indistinguishable from one's religious background. Despite the constitutional provisions for religious freedom, some discrimination against minorities occurs in virtually all parts of the country. In some communities, local religious leaders contributed to intolerance and an increase in nationalist feeling through public statements and on occasion in sermons. Increasing refugee returns and the resulting growth in ethno-religious minorities at times led to violence, although there was a marked decrease from previous years.

The U.S. Government discusses religious freedom issues with the Government and leaders from all three major religious communities in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country's territory is divided into two entities, the Federation and the RS, with a separate administrative unit comprising Brcko, and has a total area of 19,781 square miles; its population is estimated to be between 3.4 and 4.4 million. In 2001 the U.N. High Commissioner for Refugees estimated that the population was 3.8 million. Reliable statistics on the numbers of believers of different faiths were unavailable.

Ethnic groups are identified very closely with distinct religions or religious/cultural traditions. According to a 1991 census, the three largest are: Bosniaks, who generally are Muslim or of Muslim background (46 percent); Serbs, who generally are Serbian Orthodox or of Orthodox background (31 percent); and Croats, who generally are Roman Catholic or of Roman Catholic background (14 percent). There also are small numbers of Romani and Jews. Protestants and other religious groups constitute a very small part of the population.

While the practice of religion is low among all groups, religious leaders claim that it is increasing among the young as an expression of increased identification with their ethnic heritage. Religious practice reportedly is highest among Croats in the Herzegovina region, although religious observance appears to be nominal for all three major ethnic groups.

Ethnic cleansing during the 1992-95 war caused internal migration, which almost completely segregated the population into separate ethno-religious areas. Despite the increasing return of refugees, the majority of Serbian Orthodox adherents still live in the RS, and the majority of Muslims and Catholics still live in the Federation. Within the Federation, distinct Muslim and Catholic majority areas remain. Returns of Serbian Orthodox adherents and Muslims to their prewar homes in western Herzegovina, and Muslims to their prewar homes in eastern Bosnia near Srebrenica have shifted notably the ethno-religious composition in both areas.

Missionary activity is limited but growing and includes a small number of representatives from the following organizations, some of which have their central offices for the region in Zagreb or another European city outside of the country: Seventh-Day Adventists, Jehovah's Witnesses, Methodist Church, Church of Jesus Christ of Latter-Day Saints (Mormons), and Krishna Consciousness.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for religious freedom, and individuals generally enjoyed this right in areas that are ethnically mixed or where they are adherents of the majority religion; however, the ability of individuals to worship in areas where theirs is a minority religion was restricted, sometimes violently.

The Constitution attempts to safeguard the rights of the three major ethnic groups by providing for each group's representation. At times this representation is divided equally between the three groups; for example, there is a joint presidency composed of a representative of each of the three major ethnic groups, whose chairmanship rotates every 8 months. The Bosnian Council of Ministers has six ministries, with each ethnic group holding two ministries and deputy ministry positions in the other four ministries. In the RS, eight ministries were scheduled beginning in 2003 to be led by Serbs, five by Bosniaks, and three by Croats, while in the Federation eight ministries were scheduled to be led by Bosniaks, five by Croats, and three by Serbs. This principal of ethnic parity or protection means that certain positions in government and the military are de facto reserved, at least nominally, for adherents or sympathizers of certain faiths, since ethnic groups are so intrinsically identified with distinct religions or religious/cultural traditions.

Parties dominated by a single ethnic group remain powerful in the country. Most political parties continue to identify themselves closely with the religion associated with their predominant ethnic group; however, some political parties claim that they are multiethnic. Some clerics have characterized hard-line nationalist political sympathies as part of "true" religious practice. Many political party leaders are former Communists who have adopted the characteristics of ethnicity, including religion, to strengthen their credibility with voters. However, the nationalists lost power in the Federation and in the State governments as a result of the November 2000 general elections. Following the elections, the multiethnic Social Democratic Party, the Party for Bosnia and Herzegovina, and several smaller parties formed the Alliance for Change coalition, which has control of the Federation and State governments until the scheduled October 2002 general elections. However, the Bosniak nationalist Party for Democratic Action (SDA) and the Croat-nationalist Croatian Democratic Union (HDZ) remain powerful, particularly in areas where nationalist politicians can prey more easily on the fears of the population. The nationalist Serb Democratic Party (SDS) remained ideologically committed to Serb cultural and religious authority in the territory of the RS, where it won a significant plurality in the 2000 elections. While the Party for Democratic Progress (PDP) of RS Prime Minister Mladen Ivanic is relatively moderate, it is dependent heavily on the SDS in order to remain in office.

While the majority of the population of the Federation consists of Bosniaks and Croats, neither Islam nor Roman Catholicism enjoys special status under the Federation Constitution. In 2000 the Bosnian Constitutional Court struck down a provision in the RS Constitution directing the State to "materially support the Serbian Orthodox Church and cooperate with it in all fields." In 2002 the RS gave only nominal financial assistance to representatives of the Serbian Orthodox, Roman Catholic, and Islamic faiths.

There is no legislation governing religion or the licensing of religious groups. As a result, minority religions seeking entry into the country generally seek legal recognition as cultural or humanitarian organizations. Foreign religious workers normally enter initially as visitors, since a tourist visa allows for stays as long as 3 months. Some apparently enter and reenter the country every 3 months, essentially extending their tourist status indefinitely. Missionaries officially are required to obtain a temporary residence permit from a Cantonal Ministry of Interior before their 3-month tourist visas expire. At that point, they must submit documentation substantiating the nature and status of their religious group/organization and its work plan for the country. If the organization can readily demonstrate that it is a non-profit organization engaged in voluntary, humanitarian activities, the application normally is approved. There were no reports of cases in which missionaries' applications were refused. The Government reported that some missionaries chose first to apply for a work permit with the Federation Institute of Employment. If they were

issued a work permit, temporary residence normally was granted to them for the same length of time as the work permit.

The leaders of the Muslim, Roman Catholic, Serbian Orthodox, and Jewish communities have prepared a draft law that would define the legal status of religious organizations, including property rights. The Roman Catholic Church has suggested apparently minor changes to the draft; however, the other three religious communities had not reviewed those changes by the end of the period covered by this report. The draft law would grant a right to property restitution "in accordance with the law;" however, no such restitution law has been established. The four traditional religious communities all have extensive claims for property that was nationalized after World War II, much of which has not been returned. Some international observers believe that a legal framework that accords equal status to all religious communities would decrease the dependence of religious leaders on the political process. However, the draft law has not yet been introduced in the State Parliament and its passage before scheduled general elections in October 2002 was unlikely.

The Cantonal and Entity governments oversee education; there is no national education ministry or policy. Public schools offer religious education classes, which in theory are optional. Religion classes are taught by members of the clergy and focus on the majority religion of the area; there generally are no organized religion courses for minorities. Home schooling is not recognized as an alternative to obligatory public education.

In the RS, Serb students must pass the obligatory Serbian Orthodox religion class to graduate to the next grade level. In the five cantons with Bosniak majorities, religious instruction is offered as a 2-hour-a-week elective. In Sarajevo, Tuzla, and Zenica/Vares, there are Catholic school centers that Croat students may attend. In cantons with Croat majorities, all Croat students attend the "elective" 1-hour weekly religion course for primary and middle schools. In the Brcko administrative district, religious instruction is a true elective, provided for each of the three principal groups for 1-hour a week. Religion classes in Brcko and in Sarajevo Cantonal schools are scheduled at the end of the day; minority students who do not attend may leave for home.

In May 2000, entity Ministers of Education called for the introduction of country-wide courses in the eighth grade on "Democracy and Human Rights" and the "Culture of Religion;" however, only the Democracy and Human Rights course had been completed and incorporated into the official curriculum of the Federation, the RS, and Brcko by the end of the period covered by this report.

Religious holidays are not recognized officially at the national level. Serbian Orthodox holidays are recognized officially within the RS. Although there are no official religious holidays in the Federation, the law allows persons to take 4 days off per year to celebrate religious holidays. In cantons with a Bosniak (Muslim) majority, the established practice is to use the 4 days to celebrate two religious holidays that commemorate the revelation of the Koran and the migration of the prophet Muhammad to Mecca. As a rule, non-Muslims do not work those 4 days either. In cantons with a Croat (Roman Catholic) majority, the established practice is for persons to use their 4-days off to commemorate Easter and Christmas.

#### *Restrictions on Religious Freedom*

The weak administrative and judicial systems effectively restrict religious freedom and are major obstacles to safeguarding the rights of religious minorities. In addition the RS government, local governments, and police forces have allowed or encouraged an atmosphere in which abuses of religious freedom can occur.

Deputies being sworn into the RS National Assembly (RSNA) may choose a religious oath consistent with the individual's religious tradition or a nonreligious civil oath. Deputies to the State and Federation parliament take nonreligious civil oaths.

The Constitution provides for proportional representation for each of the three major ethnic groups in the Government and the military. Because of the close identification of ethnicity with religious background, this principle of ethnic parity in effect results in the reservation of certain positions in government and the military for adherents or sympathizers of certain faiths. The military in the RS is staffed overwhelmingly by ethnic Serbs and only has Serbian Orthodox chaplains. The Federation military is composed of both separate Bosniak (Muslim) and Croat (Roman Catholic) units, and integrated units; Muslim and Catholic chaplains are represented.

RS authorities frequently did not intervene to prevent the violent obstruction of efforts to rebuild some of the 618 mosques and 129 churches in the RS that were destroyed or significantly damaged during the 1992-1995 war (see Section III). Local police also subsequently did not conduct a serious investigation into several of the incidents.

RS authorities frequently delayed or denied building permits to obstruct attempts to rebuild mosques and churches destroyed during the war. Reconstruction of a small number of mosques in areas of the RS with large numbers of Bosniak returns has been completed or was underway; however, in Serb majority areas, authorities approved only 10 of the 15 building permits that were submitted for churches and only 11 of the 20 that were submitted for mosques; another 20 for mosques were denied because the permits did not fit municipal zoning requirements. According to the Roman Catholic Church, local authorities in Pecnik also threatened to demolish a Roman Catholic Church under renovation because the work was being done without a building permit.

The Human Rights Chamber, established under the Dayton Agreement, issues rulings which at times affect religious freedom, particularly regarding religious properties. The Chamber considers alleged violations of the European Convention on Human Rights if the violation is within the responsibility of one of the parties to the Dayton Agreement and occurred after its signing; decisions by the Chamber cannot be appealed to the Constitutional Court.

In October 2001, the Chamber ruled that the destruction of three mosques in Zvornik in 1992 and the subsequent illegal use of the sites constituted a violation by the RS of the Islamic community's freedom of religion. The Chamber found that the RS had prevented the Islamic community from rebuilding the mosques and had constructed illegally a multistory building on one site and a Serbian Orthodox Church on another. The Chamber ordered that the Islamic community be given monetary compensation and suitable alternative sites on which to construct new mosques within 6 months. In December 2001, the Zvornik municipality offered the Islamic community several alternative sites for two of the three destroyed mosques.

In October 2001, authorities in Bijeljina issued building permits for the reconstruction of two mosques in Bijeljina to partially comply with a 2000 Human Rights Chamber decision requiring that permits be granted for reconstruction of five mosques destroyed in 1993. Bijeljina authorities also paid the \$4,500 (10,000 KM) compensation mandated by the Chamber.

All three major religious groups and the Jewish community have claims to property confiscated during World War II, the Communist period, or the 1992-95 war. Although the Federation and the RS legislatures considered legislation on restitution of property, the High Representative suspended action on both in 2001 until an economically acceptable restitution plan could be developed. There is no law on restitution. Municipal and canton authorities have broad discretion regarding disposition of contested property that was nationalized under the Communist government. Many use this as a tool of political patronage, rendering religious leaders dependent on politicians to regain lost property.

#### *Abuses of Religious Freedom*

The RS Government, local governments, and police forces frequently allowed or encouraged an atmosphere in which abuses of religious freedom could take place, although there was slight improvement from previous years. The absence of a police force willing to protect religious minorities and a judicial system willing to prosecute crimes against them were major obstacles to safeguarding the rights of religious minorities. While new officers are accepted into the police academies under strictly observed ethnic quotas, it will take years of concentrated effort to establish effective, professional multiethnic police forces throughout the country.

In June 2001, the Islamic community, in consultation with the international community, agreed to abandon a plan to lay the cornerstone at the central mosque in Stolac and to place instead a fence around the site. The mayor of Croat-dominated Stolac denied permission for the Islamic community to reconstruct the mosque, claiming that the Roman Catholic Church had requested permission to reconstruct a church that was on the site before the mosque. However, on October 15, 2001, the Federation Minister of Urban Planning signed a permit for the mosque's reconstruction, noting that no legal justification existed for further delay. On December 2, 2001, local police in Stolac made no effort to disperse a crowd of Croats who attacked the reconstruction site of a mosque being rebuilt. After local police failed to act, SFOR and special Federation police units dispersed the crowds and arrested one person for attacking a police officer and another for destroying with a chain saw the fence that protected the mosque site; both individuals were transferred to police custody. However, when a crowd of approximately 50 Croats subsequently surrounded the police station to demand the release of the two detainees, local police either released them or permitted their escape (contrary to orders by the Cantonal Police Minister). The IPTF criticized the local police response, and Stolac's assistant police chief subsequently was fired. On December 6, 2001, the two escaped detainees surrendered to the Stolac Municipal Court, which ordered their release; six other sus-

pects remained at large. An investigation into the case was ongoing at the end of the period covered by this report.

On May 7, 2001, an estimated 2,000 to 5,000 Serb demonstrators violently disrupted a cornerstone laying ceremony on the site of the destroyed Ferhadija Central Mosque in Banja Luka. The mosque, deliberately destroyed by Serb nationalists during the war, had become a symbol of the ravages of ethnic cleansing, and efforts to rebuild it were politically sensitive. Before the ceremony could begin, approximately 200 protestors broke through police lines and violently attacked participants including elderly persons, high-ranking government officials, and representatives of the international community. Violent Serb protestors trapped more than 300 persons in a building on the site owned by the Islamic community for approximately 8 hours until RS police were able to evacuate them. Protestors attacked the building with stones and removed Islamic symbols from the building. Some police officers reportedly joined the demonstrators. Approximately 30 persons were injured during the riot, and one man died as a result of his injuries. Protestors also burned Bosniak-owned businesses and destroyed the Bosnian Foreign Minister's car and several buses. There were scattered reprisals by Bosniaks in the Federation, and Serb Orthodox buildings and believers in Bosniak-dominated areas were targeted following the violence in Banja Luka (see Section III).

In the aftermath of the riots, RS Prime Minister Mladen Ivanic publicly accepted responsibility on behalf of the RS government for the failure to provide security during the demonstrations in Banja Luka and Trebinje. However, in May 2001, the RSNA adopted a report that accused the Islamic community of creating situations that promoted violent demonstrations by seeking to rebuild mosques. RS leaders also suggested that the presence of international community leaders and the use of Islamic symbols and music were provocative.

The task force established by the RS Ministry of the Interior to coordinate the investigation into the Banja Luka riots was disorganized and ineffective, and the police did not make a serious attempt to investigate those who organized the violence. Police officers also failed to support the prosecution of those accused. During judicial proceedings against Bosnian Serbs identified by the police as having engaged in violent criminal acts during the riot, eight RS police officers gave false statements to a Banja Luka Court Investigative Judge, contradicting their official duty reports. The IPTF issued noncompliance reports against the officers for obstructing the investigation, and disciplinary proceedings against the officers were ongoing at the end of the period covered by this report.

On June 18, 2001, RS President Sarovic and Prime Minister Mladen Ivanic attended a ceremony to lay finally the cornerstone of the Ferhadija mosque. The RS Government ordered a large security operation for the event. RS police used tear gas and water cannons to disperse hundreds of demonstrators, who sang nationalist songs and chanted anti-Muslim slogans to protest the ceremony. Several protesters were arrested. In contrast to the incidents in Banja Luka, local police officers reportedly provided truthful and complete testimony to a Banja Luka Investigative Judge. One of the demonstrators was sentenced to 18 months in jail, and 15 other persons were in detention pending trial at the end of the period covered by this report.

There were no reports of religious detainees or prisoners.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

A significant number of citizens remained internally displaced or as refugees abroad as a result of the 1992–95 war. Virtually all had fled areas where their ethno-religious community had been in the minority or had ended up in the minority as a result of the war. However, both organized and spontaneous returns significantly increased during the period covered by this report. In some cases, the returns were associated directly with increasing religious pluralism.

In January 2002, the Office of the High Representative ordered the dismissal of Ivan Mandic from public office for his obstruction of the Dayton Peace Accords. In December 2000, Mandic, a Croatian Democratic Union of Bosnia and Herzegovina (HDZ) hard-liner and the head of Mostar Municipality Southwest (MSW), refused to grant permission for the reconstruction of the Baba Besir Mosque, one of three mosques in MSW that were destroyed during the war.

In May 2002, five former police officers from Prijedor were detained for their suspected involvement in the 1995 murder of Tomislav Matanovic, a Catholic priest, and his parents.

Before the war, there were several mosques in the town of Prijedor. Unfortunately, Prijedor city authorities continued to refuse permission to reconstruct any of the mosques that were located within the city limits; however, reconstruction of a Catholic church is near completion.

In Bosniak-dominated Bradina, Konjic municipality, the Islamic community was attempting to contact the inheritors of land where the community has constructed a new mosque.

### SECTION III. SOCIETAL ATTITUDES

Until the 19th century, most Bosnians identified themselves by religious affiliation. With the rise of Balkan nationalism in the 19th century, Bosnians came to identify themselves in ethnic, as well as religious terms. This tendency increased during the Communist era when the regime discouraged religious affiliation. Under the Communists, most Bosnians identified themselves by ethnic group, or simply as "Yugoslavs." Since the country's independence, there have continued to be Bosnians who decline to accept either ethnic or religious identification and consider themselves simply as Bosnians.

The 1992–95 war in Bosnia was not a religious conflict as such. However, the association of ethnicity and religion is so close that the bitterness engendered by the war and the 270,000 deaths it caused has contributed to mutual suspicion among members of all 3 major religious groups.

Despite the constitutional provisions for religious freedom, a degree of discrimination against minorities occurs in virtually all parts of the country. Discrimination is significantly worse in the RS, particularly in the eastern RS, and in Croat-dominated areas of the Federation. However, incidents of discrimination occurred in Bosniak-majority areas as well.

In June 2002, an explosive device was thrown into the courtyard of a house belonging to a recent Bosniak returnee in Bijeljina. Police arrested a suspect, and an investigation into the incident was ongoing at the end of the period covered by this report.

Religious buildings, clerics, and individual believers in any area where they are a minority bear the brunt of retaliation for discrimination and violence perpetrated by other members of their religious/ethnic groups in areas where they are the majority. Because they are powerful symbols of religious identification and, therefore, ethnicity, clerics and religious buildings are favored targets. Most religious leaders severely criticize violence and nationalism, but their message is undermined by other clerics who continue to support nationalist causes and separatism.

While Sarajevo, the Bosniak-majority capital of the country, has preserved in part its traditional role as a multiethnic city, instances of discrimination continue to occur there, especially in education. Attacks against Orthodox and Catholic clerics and religious edifices have occurred in Sarajevo. In May 2002, anti-Semitic graffiti began to appear in the city; however, the graffiti was quickly removed. No further information was available on the February 2001 case in which a group of young men attacked and beat the Mufti of Sarajevo and several other Islamic community officials; the press reported that police arrested five young men for participating in the attack.

Numerous buildings belonging to the Islamic, Serbian Orthodox, and Roman Catholic communities were damaged or destroyed during the 1992–1995 war, usually in a deliberate attempt at ethnic intimidation. Among the religious buildings destroyed during the war were 618 mosques and 129 churches in RS territory. RS authorities frequently did not intervene to prevent the violent obstruction of efforts to rebuild many of the mosques and churches (see Section II).

Efforts to rebuild the destroyed Oman Pasha Mosque in Trebinje and the Ferhadija Central Mosque in Banja Luka resulted in violent riots in those cities in May 2001 (see Section II). In June 2001, Islamic community leaders finally were able to lay the cornerstone of the Ferhadija mosque; however, RS police used tear gas and water cannons to disperse hundreds of demonstrators (see Section II). There were scattered reprisals by Bosniaks in the Federation following the violence in Banja Luka.

In April 2001, Muslim and Croat members of the State Presidency attended a ceremony commemorating the construction of a new synagogue in Mostar.

Serb Orthodox buildings and believers in Bosniak-dominated areas were targeted in the days following the 2001 riots in the RS. In contrast to events in the RS, protests in Bosniak majority areas against events in Trebinje and Banja Luka were well organized and usually peaceful. However, there were some violent acts, a number of them directed against buildings of the Serb Orthodox Church, the primary symbol of the Serb ethnic group. In May 2001, two Bosniaks threw a hand grenade

at a Serb Orthodox Church in the Bosniak-dominated town of Sanski Most. The windows of a nearby cafe owned by a Serb also were smashed. Local police detained two Bosniak men in connection with the incidents. Also in May 2001, a group of displaced Bosniaks originally from the RS refused to allow a group of displaced Serbs, originally from Sarajevo, to enter the Osjek cemetery in Ilidza, a suburb of Sarajevo that was predominantly Serb before the war. In May 2001, approximately 20 Bosniaks stoned a house inhabited by Serbs in Sarajevo. Local police responded immediately to the attack, but no arrests have been made. Also in May 2001, 11 tombstones in an Orthodox cemetery in Tuzla were desecrated and the cemetery chapel vandalized. Three Bosniak juveniles were arrested and charged in the case and local government officials criticized the vandalism. In May 2001, a large group of Bosniaks stoned the houses of two Serb returnees in Bosniak-dominated Bocinja. In Croat-dominated Glamoc, Serb returnees' houses and the Orthodox Monastery Veselinje were shot with automatic weapons. Police have no suspects in the case.

In May 2001, leaflets were distributed in Doboje, in the RS, calling on Muslims to leave the city and urging Serbs to protest against the reconstruction of the city's mosque.

Leaders of the Muslim, Orthodox, Catholic, and Jewish communities have committed themselves publicly to building a durable peace and national reconciliation. The leaders of these four communities are members of the Interreligious Affairs Council of Bosnia and Herzegovina, which operates with the active involvement of the World Conference on Religion and Peace, a U.S.-based nongovernmental organization. The Organization for Security and Cooperation in Europe (OSCE) and OHR facilitate interfaith meetings at the local level as well. On June 8, 2001 in Rome, the Catholic conflict resolution group Sant'Egidio hosted a conference on religious reconciliation in Bosnia and Herzegovina. The Muslim, Catholic, Orthodox, and Jewish communities sent representatives to the conference, which released a joint statement supporting reconstruction of all religious sites in the country.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government and leaders from all three major religious communities in the context of its overall dialog and policy of promoting human rights. The U.S. Government supports the return of refugees, democratization, and protection of human rights throughout the country. The U.S. Government also encourages leaders from all major religious communities to promote a multiethnic society that is conducive to religious freedom. Strong U.S. government support for full implementation of the Dayton Accords and a politically moderate, multiethnic, government is intended, over time, to improve respect for religious freedom in the country.

The U.S. Government provides financial support to the Human Rights Chamber, which hears cases on religious discrimination. The Ambassador frequently meets with the principal religious leaders, individually and collectively, to urge them to work toward moderation and multiethnicity. In addition, the Embassy publicly severely criticizes instances of religious discrimination and attacks against religious communities or buildings, and encourages leaders from all ethnic groups and members of the international community to oppose publicly such attacks. The U.S. Agency for International Development provides funding to train lawyers and judges on human rights, including religious freedom.

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### BULGARIA

The Constitution provides for freedom of religion; however, the Government restricts this right in practice for some non-Orthodox religious groups. These restrictions are manifested primarily in a registration process that is selective, slow, and nontransparent. The Government prohibits the public practice of religion by groups that are not registered.

There was some improvement in the status of respect for religious freedom during the period covered by this report. The Prime Minister personally ordered the registration of the Church of the Nazarene. The first ever Papal visit to the country took place in May 2002. In 2001 Parliament refrained from passing a new law regulating religious denominations following strong criticism of the draft by experts; in spring 2002, three new bills were introduced. It appears that restrictive municipal ordinances were not enforced due to pressure from the central Government.

Relations between the major religious communities generally were amicable. Although attitudes towards non-traditional groups continued to improve, discrimina-

tion, harassment, and general public intolerance of nontraditional religious minorities (primarily newer evangelical Protestant groups) remained an intermittent problem. Tensions between factions within the Bulgarian Orthodox Church and concerns about Islamic fundamentalism continued to receive media coverage.

The U.S. Government raised the issue of religious freedom repeatedly in contacts with government officials and Members of Parliament. The Ambassador and other embassy officers periodically urged the Government to expedite registration of church groups. In one significant development, in early 2002 the Prime Minister directed that the Church of the Nazarene be registered. This decision culminated 6 years of efforts by the Church of the Nazarene, with U.S. Embassy support, to achieve registration. Embassy officials have already engaged government officials and representatives of the country's main religious communities on the 3 draft texts for a new law on religion.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 42,855 square miles, and its population is approximately 7.9 million according to a 2001 census. According to a March 2001 study by the country's National Statistical Institute, approximately 83.6 percent of citizens are Orthodox Christians and approximately 12.1 percent are Muslims, while the remainder includes Roman Catholics, Protestants, Jews, Gregorian-Armenian Christians, Uniate Catholics, and others. Another study used 1998 figures to estimate that 85 percent of the population are Orthodox Christians, 13 percent are Muslims, 1.5 percent are Roman Catholics, 0.8 percent are Jews, and 1 percent are from other religions. A total of 30 denominations are registered officially with the Government.

Some religious minorities are concentrated geographically. The Rhodope Mountains (along the country's southern border with Greece) are home to many Muslims, including ethnic Turks, Roma, and Pomaks (descendants of Slavic Bulgarians who converted to Islam centuries ago under Ottoman rule). At the western extreme of the Rhodopes, there are greater numbers of Pomaks, and on the eastern end, more ethnic Turks. Muslim ethnic Turks and Roma also live in large numbers in the northeast of the country, primarily in and around the cities of Shumen and Razgrad, as well as along the Black Sea coast. There are comparatively large numbers of Roman Catholics in Plovdiv, Assenovgrad, and in cities along the Danube River. Eastern Rite Catholic communities are located in Sofia and Smolyan. Many members of the country's small Jewish community live in Sofia, Ruse, and along the Black Sea coast. However, Protestant groups are dispersed more widely throughout the country. While clear statistics are not available, evangelical Protestant church groups have had particular success in attracting numerous converts from among the ethnic Roma minority, and these churches tend to be the most active denominations in predominantly Roma-inhabited areas.

Although no exact data are available on attendance levels, most observers agree that evangelical Protestants tend to participate in religious services more frequently than other religious groups. Members of the country's Catholic community also are regarded as more likely than members of other faiths to regularly attend religious services.

Missionaries are present in the country, including, for example, representatives of evangelical Protestant churches and more than 100 missionaries from the Church of Jesus Christ of Latter-Day Saints (Mormons).

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion; however, the Government restricts this right in practice for some non orthodox religious groups.

The Constitution designates Eastern Orthodox Christianity as the "traditional" religion. The Government provides financial support for the Eastern Orthodox Church, as well as for several other religious communities perceived as holding historic places in society, such as the Muslim, Roman Catholic, and Jewish faiths, which also are considered "traditional." These groups generally benefit from a relatively high degree of governmental and societal tolerance.

The 1949 law on religion requires groups whose activities have a religious element to register with the Council of Ministers. A total of 30 denominations are registered. The registration process is selective, slow, and nontransparent. The Government prohibits the public practice of religion by groups that are not registered.

Following criticism in 2001 by the Council of Europe of a draft law on religion, and parliamentary elections in June 2001 which resulted in a new government, Parliament took no further action regarding that draft. Three new drafts have been in-

roduced in the current Parliament. These drafts reflect varying degrees of support among lawmakers for the proposition that the Bulgarian Orthodox Church should be exempted from the requirement to register. Other issues on which the drafts differ include the complexity of the registration process, whether the Government should monitor a religious group's compliance with its own precepts, and whether, if a group is determined not to have followed its own bylaws and the law on religion, the Government may initiate proceedings to dissolve the group. Given the divergence of views on such topics, passage of a new law on religion may be difficult, despite universal dislike of the 1949 law. Members of the Government have indicated that the Council of Europe and other interested parties again may have an opportunity to review and comment on whatever final draft emerges.

For most registered religious groups there were no restrictions on attendance at religious services or on private religious instruction. Four Islamic schools (including a university-level Muslim divinity school), a Muslim cultural center, a multi-denominational Protestant seminary, university theological faculties, and religious primary schools operated freely. Bibles and other religious materials in the Bulgarian language were imported or printed freely, and Muslim, Catholic, and Jewish publications were published regularly.

Optional religious education courses are offered in state-run schools. In the spring of 2002, the Ministry of Education and the Chief Mufti's office initiated a program to provide optional Islamic education classes in primary schools, using a textbook proposed by the Chief Mufti and approved by the Ministry of Education. In June 2002, Chief Mufti Selim Mehmed announced a 2-month course to train teachers to teach Islam, coordinated with the Ministry of Education and the Higher Islamic Institute in Sofia. The Ministry announced that some 18,000 primary and secondary school students attend religion classes. Evangelical groups have expressed concern that other textbooks designed to be used in public schools for religious education are biased in favor of the Orthodox perspective.

At its first session in April 2002, the National Assembly's new ad hoc Commission on Religious Issues decided that it would focus on the problems between the Government and religious denominations, property issues pertaining to individual religious groups, and the Zografski Monastery on Mount Athos. The Commission considered an analysis submitted by Maksim, Patriarch of the Bulgarian Orthodox Church, which calls for a new law on religion and legal recognition of the Bulgarian Orthodox Church as a juridical person.

The Government generally has encouraged greater religious tolerance since 1998 by seeking to promote greater understanding among different faiths.

In the fall of 2001, senior officials stressed publicly that Islam should not be equated with terrorism.

#### *Restrictions on Religious Freedom*

The Government restricted religious freedom through a registration process that is selective, slow, and nontransparent. The Government prohibits the public practice of religion by groups that are not registered.

However, while the observance of religious freedom has improved for some non-traditional groups, other groups have faced official disfavor and been disadvantaged by the Government's persistent refusal to grant registration. The legal requirement that groups whose activities have a religious element must register with the Council of Ministers remained an obstacle to the activity of some religious groups, such as the Unification Church and the Sofia Church of Christ. Other church groups have obtained registration from the national Government, but continued to face some discrimination and antipathy from many local governments. The City Council in Burgas maintained its refusal to register the local branch of Jehovah's Witnesses, despite the fact that they were registered by the central Government. The council asked the group to prove that they had not been banned in any European Union country in order to be registered.

In some cases, local authorities used the lack of registration as a pretext for interference with some groups and harassed others. Some church groups circumvented the administrative obstacles created by a lack of registration by registering as non-governmental organizations (NGO's). Technically it remained illegal for a church to conduct any religious activities through its NGO-registered organization, although the Government sometimes tacitly allowed such groups to conduct worship so long as they kept a very low profile. There were periodic reports of police using lack of local or national registration as a pretext to confiscate signboards and materials, detain or expel religious workers, and deny visas or residence permits to foreign-national missionaries.

The national Government has on some occasions, but not systematically, stopped local governments from enforcing restrictive municipal government decisions, which

appear to fall into a gray area of the law. Burgas, Plovdiv, and Stara Zagora are among the municipalities that have reported the greatest number of complaints of harassment of nontraditional religious groups. Some observers note with concern a tendency by certain municipalities to enact preemptively regulations that may be used to limit religious freedom if a perceived need arises. For example, a 1999 regulation passed by Sofia municipality forbids references to miracles and healing during religious services, a provision that many fear may be employed as a pretext to ban or interrupt services by charismatic evangelical groups; however, during the period covered by this report, there were no reports that it was used for this purpose. The regulation cites a Communist-era law dating from 1949, which is technically still in effect, and which forbids foreigners from proselytizing and administering religious services in the country. Other municipalities have enacted similar regulations. In 2001 several evangelical Christian groups filed a lawsuit against municipal authorities in Pleven, alleging that the authorities have prevented religious activists from proselytizing to the public without a permit, but have refused to issue such permits. The 1949 law also has been criticized as an outmoded potential impediment to free religious activity. However, despite the law's continued technical validity, foreign missionaries can and do receive permission to proselytize.

Although several municipalities such as Burgas, Plovdiv, Pleven, Gorna Oryahovitsa, and Stara Zagora previously had passed local ordinances that curtailed religious practices, often in contravention of the constitution and international law, it does not appear that these have been enforced with any vigor. By mid-2001, the local registration requirements were suspended by the governors of the regions where they were passed, and legal proceedings were initiated to invalidate them formally. There were no reported incidents of street-level harassment of religious groups by the authorities during the period covered by this report.

There is a split within the Bulgarian Orthodox Church between those who support Patriarch Maksim and those who view him as illegitimate because he was selected in 1971 under Communist rule. The schism, which opened in 1992, continued despite attempts by the Saxe-Coburg Government to heal the rift. Many Bulgarians view the Government as generally favoring the group headed by Maksim, but the Government has stayed formally neutral regarding the leadership status of either Maksim's "Holy Synod" or the so-called "alternative synod." The split has hindered both efforts to pass new legislation on church-state relations and to resolve outstanding claims relating to formerly Orthodox properties still held by the Government. Tensions between the groups sometimes have run high, and representatives of the alternative synod alleged that the head of the Burgas city police sent men to the nearby Black Sea town of Primorsko to evict believers from a church under the alternative synod's control.

In October 2000, a government licensing commission denied without explanation approval for a new nondenominational Christian radio station "Glas Nadezhda" ("Voice of Hope"), despite the support of the Government's Directorate of Religious Affairs. Several sources reported that the unofficial position of commission members was that non-Orthodox Christian groups should not be allowed to have a radio station, at least until the Bulgarian Orthodox Church has one of its own. The Bulgarian Orthodox Church gave no indication of any interest or intent to establish a radio station. The issue is before the European Court of Human Rights.

There were no further reports that local authorities prohibited the showing of any films with religious content.

During 2001 the ability of religious groups to conduct services freely or hold open events at times was obstructed by local government authorities and because of public intolerance. No new cases of harassment by local authorities of members of the Church of Jesus Christ of Latter Day Saints (Mormons) or Jehovah's Witnesses were reported during the period covered by this report. However, in November 2001, the city of Kurdzhali refused to issue the Christian Unity Biblical Association a permit for a planned public gathering. A spokesperson for the municipality reportedly justified this decision by stating that the evangelical association preached ideas that were "alien to local people."

Two other members of Jehovah's Witnesses who have been ordered to pay approximately \$250 (500 leva) fines for participating in Bible study meetings still await a final determination on their cases.

There was no new information available regarding the March 2000 brief detention by police of two members of Jehovah's Witnesses in Turgovishte; they were charged with disruption of public order under a city ordinance due to their public proselytizing.

There was no new information available regarding the case of several Mormon missionaries in Plovdiv who were charged in April 2000 with distributing brochures without a license.

A number of religious groups have complained that foreign missionaries and religious leaders experience difficulties in obtaining and renewing residence visas in the country; the issuance of residence visas appears to be subject to the whim of individual authorities. New amendments to the Law on Foreign Persons, which went into effect on May 1, 2001, have created problems for foreign national missionaries and religious workers. The revised law has no visa category which explicitly applies to missionaries or religious workers, and rules for other categories of temporary residence visa (such as self employed or business-owner) have been tightened in ways that seem to make it more difficult for religious workers to qualify. This problem has been exacerbated by the fact that key government institutions have not yet developed implementing regulations or procedures to handle their new responsibilities under the law, despite the fact that the new law is in force. For example, American evangelical missionaries in Stara Zagora reported confusion and delays in their visa application process from October 2001 through June 2002, including bureaucrats demanding unexpected fees or bribes. Missionaries therefore may have to limit the time and purpose of their visits to the 30 days accorded to tourists. Human rights groups also have protested the cancellation of residence status of several persons on undisclosed national security grounds, alleging that the action was a pretext for religious discrimination. In one case, involving Ahmed Musa, a human rights attorney asserted that the expulsion was motivated by the desire of the police to seize the assets of a religious foundation; however, this allegation has not been confirmed.

The high school curriculum includes a course on religion initiated by the Ministry of Education. The original plan called for a world religion course that avoided endorsing any particular faith; however, members of other religions, especially ethnic Turkish Muslims, maintain that the Bulgarian Orthodox Church receives privileged coverage in the textbooks. The religion course is optional and is not available at all schools. Optional Islamic education classes in primary schools are being conducted on a pilot basis.

At the Department of Theology of Sofia University all students are required to present an Orthodox Church baptismal certificate, and married students must present an Orthodox marriage certificate, in order to enroll in the Department's classes. These requirements make it impossible for non-Orthodox students to enroll in the Department.

The Government has abolished the construction and transportation battalions, to which ethnic and religious minorities previously were assigned in order to segregate them from the regular military forces. The conscript troops of the military are now integrated; however, the professional officer corps contains few members of ethnic or religious minority groups.

The failure of the Government to restitute certain confiscated properties remains a sore point in relations between various denominations and the State, and prevents these denominations from raising more revenue through the use or rental of such properties. There were no indications that the Government discriminated against members of any religious group in making restitution to previous owners of properties that were nationalized during the Communist period. However, NGO's and certain denominations claimed that a number of their properties confiscated under the Communist years have not been returned. For example, the Muslim community claims at least 17 properties around the country that have not been returned. The Orthodox Church, Catholic Church, Methodists, Adventists, and other groups also claim land or buildings in Sofia and other towns. Former Jewish properties mostly have been recovered over the last 10 years, with two exceptions in downtown Sofia that have not been returned. The head of the Office on Restitution Issues said that the list of outstanding claims was shorter during 2001, and that the law permits resolution of claims if a timely filing is made. A central problem facing all claimants is the need to demonstrate that the organization seeking restitution is the organization—or the legitimate successor of the organization—that owned the property prior to September 9, 1944. This is difficult because communist hostility to religion led some groups to hide assets or ownership, and because documents have been destroyed or lost over the years.

The law provides for alternative service for a 2-year period, more than twice as long as regular military service; universal conscripted military service is 9 months for most recruits, while university graduates serve just 6 months. Reportedly, several individuals currently are serving in an alternative civilian capacity in lieu of military service. Nonetheless, human rights observers complain that procedures for invoking this alternative as a conscientious objector are unclear. There were no new reports of incarcerations on religious grounds during the period covered by this report.

The Constitution forbids the formation of political parties along religious lines. There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

The Constitution prohibits forced religious conversion, and there were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

*Improvements and Positive Developments in Respect for Religious Freedom*

In January 2002, Prime Minister Simeon Saxe-Coburg personally ordered the registration of the Church of the Nazarene, which had tried repeatedly to register for more than 6 years. The long delay was attributed to bias against new “sects” and bureaucratic inertia under the previous government. The Church was registered that same month.

It appears that some local ordinances that restricted religious freedom have not been enforced, and in some cases were suspended, due to pressure from the central Government.

As of June 2002, approximately 2,000 children in grades one through four across the country were attending new optional Islamic religion classes.

In May 2002, the Pope visited the country for the first time. In addition to conducting a Mass in Plovdiv, John Paul II met with senior government officials including Prime Minister Saxe-Coburg, as well as with Orthodox Patriarch Maksim and the leader of the Muslim community, Chief Mufti Selim Mehmed. Some observers noted that the Pope’s historic meeting with Patriarch Maksim was a watershed in Catholic-Orthodox relations. The Government was very supportive of the visit, particularly the Pope’s dismissal of reports of Bulgarian involvement in the 1981 attempt on his life.

## SECTION III. SOCIETAL ATTITUDES

Relations between the major religious communities generally were amicable; however, discrimination, harassment, and general public intolerance of nontraditional religious minorities (primarily newer evangelical Protestant groups) remained an intermittent problem. Strongly held suspicion of evangelical denominations among the Orthodox populace is widespread and pervasive across the political spectrum and has resulted in discrimination. Often cloaked in a veneer of “patriotism,” mistrust of the religious beliefs of others is common. Such mainstream public pressure for the containment of “foreign religious sects” inevitably influences policymakers. Nevertheless, human rights observers agreed that such discrimination has gradually lessened over the last 4 years as society has appeared to become more accepting of at least some previously unfamiliar, “non-traditional” religions.

There are disputes within the country’s Muslim community, in part along ethnic lines. Most Bulgarian Muslims, the majority of whom are ethnic Turks, practice a moderate form of Sunni Islam. Some are concerned that Muslims of Slavic ethnicity (“Pomaks”) and Roma Muslims, particularly those living in remote areas, are susceptible to “fundamentalist” (often referred to locally as “Arab” or “Wahabi”) influences associated with foreign funding of mosque construction and the training of imams in Arab countries. Unsubstantiated charges of failing to counteract or even fomenting the spread of Islamic extremism have been leveled at the Chief Mufti by some of his opponents within the Muslim community.

Non-Orthodox religious groups continued to be affected adversely by periodic negative media coverage. For example, during the 2000–2001 reporting period, in the Pleven region, a local television station broadcast several times an inflammatory statement purportedly representing the views of the local Bulgarian Orthodox bishop. The statement accused missionaries of the Evangelical Baptist Church of being “agents of foreign influence” and of distributing expired and second-rate goods through its charitable aid program. It further alleged that the Baptists’ efforts to build a new medical facility in the region were effectively a bribe to local authorities to gain permission to build a Baptist church in the area.

On February 6, 2002, a youth with skinhead connections in Sofia stabbed a Mormon missionary; however, it is not clear if the attack was connected with the victim’s religious activities or affiliation. The assailant was arrested and the missionary has recovered from the attack.

In April 2002, a gang of apparent skinheads attacked a group of Roma in Pazardzhik, resulting in several hospitalizations. Although the motive for the attack is unclear, it reportedly took place following a service by a Swedish evangelical preacher at the local stadium.

In June 2001, in Ravnogor, near Plovdiv, the local priest ordered a group of Evangelical Christians to leave the village. Later the same night, a large group of Orthodox believers attacked the evangelicals’ camp, vandalizing it and beating the

Evangelicals. Although the local police arrived at the scene, they did not fill out an appropriate report, which has the effect of making it more difficult for the Evangelicals to seek damages in court.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy regularly monitors religious freedom in ongoing contacts with government officials, clergy, lay leaders of minority communities, and NGO's. Embassy officers met with Orthodox clergy members (from both sides of the schism), the Chief Mufti and other senior Muslim leaders, with religious and lay leaders of the Jewish community, as well as with the leaders of numerous Protestant denominations. During the period covered by this report, the Embassy remained closely engaged with government and religious officials concerning drafts of a new law on religion, with various denominations regarding the restitution of properties, and with Muslim leaders regarding the war on terrorism. The Embassy expressed dismay at the February 2002 attack on a Mormon missionary, and urged local prosecutors to bring more serious charges against the perpetrator. As in the past, the Embassy has encouraged the submission of any pending religion law to the Council of Europe and the Organization for Security and Cooperation in Europe for review and comment to ensure that international religious freedom standards are met.

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## CANADA

The 1982 Charter of Rights and Freedoms provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among the religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 3,850,000 square miles, and its population is approximately 31 million.

There is no state or dominant religion; however, an estimated 82.1 percent of the population belong to Christian denominations, with Roman Catholics (45.2 percent) forming the largest single group. Other Catholic groups include Eastern Orthodox (1.4 percent) and Ukrainian Catholics (0.5 percent). Protestants constitute an estimated 36.4 percent of the population, consisting of the United Church (11.5 percent), Anglicans (8.1 percent), Presbyterians (2.4 percent), Lutherans (2.4 percent), Baptists (2.5 percent), Pentecostals (1.6 percent), and other Protestant denominations (7.9 percent). Members of other religions include Jews (1.2 percent), Muslims (0.9 percent), Buddhists (0.6 percent), Hindus (0.6 percent), Sikhs (0.5 percent), groups such as Scientology, Kabalitarianism, and Rastafarianism (0.1 percent), and other religions (0.1 percent). Those professing no religion constitute an estimated 12.5 percent of the population.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Charter of Rights and Freedoms provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

Religious groups are not required to register with the Government.

The Constitution and the Charter of Rights and Freedoms protect the rights or privileges possessed by denominational schools at the time of national union in 1867. In practice this protection has meant that some provinces have funded and continue to fund Catholic school education, and some provinces (such as Quebec) have funded some Protestant education. In June 2000, the Quebec Provincial Assembly passed a bill that incorporated the recommendations of the 1999 government-mandated Proulx task force. The recommendations included abolishing Catholic and Protestant status for public schools and creating secular public schools with in which religions would be studied from a cultural perspective. The legislation

based school commissions and schools on linguistic rather than religious lines; required schools to provide either Catholic, Protestant, or moral education classes; and reduced teaching hours for such classes from 120 to 72 hours per 2-year cycle. The required changes had been implemented by the end of the period covered by this report. All public schools in Quebec are open to all and are not faith-based. In June 2001, the Ontario provincial parliament passed the Equity and Education Tax Credit Legislation that provided tax credits for private school tuition, including for all private religious schools. Previously, the province provided tax credits only for private Roman Catholic schools. Ontario's new provincial premier, who took office in March 2002, has adopted a policy of support for tax credits for all private schools that meet public educational standards. At the end of the period covered by this report, private schools were receiving tax credits. The provincial government reserves the right to refuse the tax credits to any schools that do not meet minimum public school standards.

There is no official government council for interfaith dialog, but the Government provides funding for individual ecumenical projects on a case-by-case basis.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion. However, in May 2001, a Muslim chaplain filed suit in federal court against an Ontario provincial judge who had ejected him from the courtroom in 1993 for wearing a Muslim cap. The chaplain's initial complaints filed with the provincial and federal human rights commissions were dismissed because the law provides for immunity from human rights laws for judges. In November the federal district court dismissed the case, and in May 2002, the chaplain filed an appeal with the federal court of appeals. A hearing date is pending. In February 2002, the principal of a school in Quebec ordered a 12-year-old Sikh boy not to wear his kirpan (4-inch ceremonial dagger) to school. The child's parents complained, but the local school board supported the principal's ruling. The family filed a case in superior court, which issued a temporary injunction allowing the boy to wear the kirpan in school. On May 17, the two sides reached a compromise permitting the boy to wear the kirpan at school in a wooden sheath under his clothing.

In July 2001, approximately 100 members of the Christian fundamentalist Church of God (affiliated with the Mennonites) in Aylmer, Ontario, left the country after the Ontario Provincial Police removed 7 of the group's children from their parents on grounds that the parents were inflicting corporal punishment that constituted child abuse. Church practices advocated the use of belts and sticks in disciplining children. The children were returned to their parents after several weeks and many (but not all) of the families returned to Ontario. The children remained under close provincial supervision at the end of the period covered by this report.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

In September 2001, the Premier of Quebec issued a strongly worded statement announcing a policy of zero tolerance for all acts of religious intolerance and convened a multi-disciplinary working group of representatives from various ministries to encourage and promote intercultural relations and educational activities.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among the religions in society contributed to religious freedom. However, tensions between Jewish and Islamic communities strongly increased during the period covered by this report as violence continued in the Middle East. Representatives of both communities made efforts to promote religious peace and tolerance but were unable to prevent growing strain between them.

The B'nai Brith Canada League for Human Rights received 286 reports of anti-Semitic incidents in 2001, an increase of 6 incidents compared with the previous year. Anti-Semitic incidents of harassment and vandalism increased significantly in the first half of 2002. For example, on May 19, a pipe bomb damaged the only Jewish synagogue in Quebec City; a 27-year-old man reported to be mentally unstable was detained. In the spring of 2002, one synagogue in Saskatchewan and one in Ontario were set on fire.

In the fall of 2001, anti-Muslim sentiment rose in communities across the country. Incidents included harassment and vandalism such as beatings, threats, property

damage, and attempted fire bombing of a mosque. The Government strongly and publicly criticized such sentiments and actions, and urged the population to refrain from prejudice against Muslims or other persons on the basis of their religious beliefs, ethnic heritage, or cultural differences. Police forces across the country actively investigated and discouraged anti-Muslim actions. In addition, in September 2001, a Hindu temple in Ontario was burned to the ground.

In January 2002, the Canadian Human Rights Tribunal ruled that Ernst Zundel contravened the Canadian Human Rights Act by creating a website that could allow hatred to flourish and whose tone and expression of messages were so malevolent in their depiction of Jews that they constituted hate messages. The Toronto Mayor's Committee on Community and Race Relations and a private party originally filed the complaints against Zundel in 1996. More than 50 days of hearings were held over 4 years, ending in February 2001.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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### CROATIA

The Constitution provides for freedom of conscience and religion and free public profession of religious conviction, and the Government generally respects these rights in practice. There is no official state religion; however, the Roman Catholic Church enjoys a historic relationship with the State not shared by other denominations, and receives some state support.

There was no change in the status of religious freedom during the period covered by this report, and the democratic coalition Government continued to contribute to the generally free practice of religion.

Religion and ethnicity are linked closely in society. During the past 11 years, religious institutions of all faiths were victimized by the ethnic conflicts that led to the break up of the former Republic of Yugoslavia. Such violent incidents still occur, particularly in the Danubian region (Eastern Slavonia), where there were persistent reports of vandalism directed against Serb Orthodox buildings and cemeteries.

The U.S. Government continues to encourage the Government to respect religious freedom in practice. U.S. Embassy officials frequently meet with representatives of religious and ethnic minority communities and with government officials to promote respect for religious freedom and protection of human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 21,829 square miles, and its population is approximately 4,381,000. The religious breakdown of the country is approximately: Roman Catholic, 85 percent; Orthodox Christian, 6 percent; Muslim, 1 percent; Jewish, less than 1 percent; other, 4 percent; and atheist, 2 percent. The statistics correlate closely with the country's ethnic makeup. The Orthodox generally live in Serb areas, notably cities and the war-affected regions, and members of other minority religions reside mostly in urban areas. Most immigrants are Roman Catholic ethnic Croats.

Protestants from a number of denominations and foreign clergy actively practice and proselytize, as do representatives of Eastern religions. Missionaries from a number of different groups are present in the country, including the Church of Jesus Christ of Latter-Day Saints (Mormons), Jehovah's Witnesses, Greek Catholics, Pentecostals, Hare Krishnas, and a wide range of evangelical Protestant Christians (including Baptists, Seventh-Day Adventists, Church of Christ, and various non-denominational organizations such as the Campus Crusades for Christ).

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of conscience and religion and free public profession of religious conviction, and the Government generally respects these rights in practice. There is no official state religion; however, the Roman Catholic Church receives some state support.

At the end of the period covered by this report, the Government was working on a new law on religious communities, which was expected to be passed in the summer of 2002. While the original drafting was undertaken in consultation with representatives of several denominations, some religious leaders expressed concern

about provisions later inserted into the text by the Government. Among other changes, the law is expected to institute Catholic catechism in kindergarten, as previously established in concordats with the Vatican but never implemented, create a definition of a “religious community,” and regulate government funding and tax benefit entitlements to registered religious communities. The law is not expected to cover the most critical outstanding concern of most religious communities—the return of nationalized property. There was public concern that the Government’s effort to define a “religious community” in the law would result in discrimination, particularly against smaller denominations, and that kindergarten catechism is being instituted in response to requests of the Catholic Church and over the objections of other denominations.

Representatives of minority religious communities indicate that the overall climate for religious freedom has improved moderately since the January 2000 election of a democratic coalition government. For example, leaders of the Islamic community expressed satisfaction with both the Government’s approach and media coverage of religious communities. While the new Government has expressed interest in eliminating religious discrimination, its approach is ad hoc, addressing specific issues (for example, the validity of religious marriage ceremonies) with individual religious communities, rather than setting uniform, nondiscriminatory standards and practices. Orthodox leaders also have expressed satisfaction with the communication and cooperation they have received from government officials, including the Deputy Prime Minister, who chairs the Government Commission for Relations with Religious Communities.

In 2000 the Catholic Church signed an agreement with the state run Croatian State Radio and Television (HRT) to provide regular, extensive coverage of Catholic events (as many as 10 hours per month). Other denominations receive approximately 10 minutes broadcast time per month or less. The Catholic Church operates the country’s only private national radio station, Catholic Radio, which is financed by private contributions. The Jewish community reports no restrictions on religious broadcasting. Jewish topics are covered periodically on weekly religious programming on HRT, for example, at times of Jewish holidays. The Muslim community has 4.5 minutes of radio broadcast time per month, as well as 4.5 minutes per month on Radio Zagreb. In addition, the Bairam ceremony from the Zagreb mosque is telecast annually.

Muslims have the right to observe their religious holidays. They are granted a paid holiday for one Bairam and have the right to observe the other as well (although they are not paid for the day).

Missionaries do not operate registered schools, but the Mormon community provides free English lessons, which normally are followed by some sort of religious class. The Ministry of Education recognizes the diploma conferred by the Muslim community’s secondary school in Zagreb. Enrollment in the school subsequently has increased by 50 percent. An estimated 4,000 primary and secondary school children in 35 schools in the Danubian region (Eastern Slavonia) attend Orthodox religion classes. The classes are led by 20 Orthodox priests and 4 laypersons. Orthodox officials organizing these classes stated that they cooperated well with the Ministry of Education, which organized a series of orientation seminars for the teachers.

The Government requires that religious training be provided in schools, although attendance is optional; however, in general, the lack of resources, minority students, and qualified teachers impeded instruction in minority faiths, and the Catholic catechism was the one predominantly offered.

There is no government-sponsored ecumenical activity.

#### *Restrictions on Religious Freedom*

The Government imposes no formal restrictions on religious groups, and all religious communities are free to conduct public services and to open and run social and charitable institutions.

There is no official state religion; however, the Roman Catholic Church receives some state support and other benefits established in concordats between the Government and the Vatican. There are no similar concordats established with other denominations. For example, the concordats allow state financing for some salaries and pensions for priests and nuns through the government-managed pension and health funds; Orthodox priests, rabbis, and imams must pay their contributions to the health and pension funds from their own resources in order to be covered by a pension plan. Other agreements with the Vatican regulate Catholic marriages, property restitution, public school catechism, and military chaplains. The Ministry of Defense employs 17 full-time and 6 part-time Catholic priests as chaplains.

Catholic marriages are recognized by the State, eliminating the need to register them in the civil registry office. The Muslim and Jewish communities, seeking simi-

lar status, have raised this issue repeatedly with the Government, but they had not received such status by the end of the period covered by this report.

Facilitating the return of refugees is a challenge for the Government, which has made progress in a number of areas relating to returns. However, many ethnic Serbs who wish to return to Croatia, including Serbian Orthodox clergy, continued to encounter difficulties recovering their prewar property and reconstructing damaged or destroyed houses. There were no reports of specific discrimination against Orthodox clergy beyond that faced by other ethnic Serb citizen refugees. Orthodox officials report that approximately 30 percent of prewar Orthodox clergy have returned to the war-affected areas, indicating that the proportion of returning clergy is somewhat greater than that of the general Serb population. Religion and ethnicity are linked closely in society, but the majority of incidents of discrimination are motivated by ethnicity rather than religion or religious doctrine. A pattern of often open and severe discrimination continues against ethnic Serbs, and, at times, other minorities in a wide number of areas, including the administration of justice, employment, housing, and freedom of movement. The previous government, led by the Croatian Democratic Union (HDZ) party, often maintained a double standard of treatment based on ethnicity; effects of this double standard continue.

The Government requires that religious training be provided in schools, although attendance is optional. Schools filling the necessary quota of seven minority students per class offered separate religion classes for the students. In classes not meeting the quota, minority students could fulfill the religion requirement by presenting a certificate that they had received classes from their religious community. Generally, the lack of resources, minority students, and qualified teachers impeded instruction in minority faiths, and the Catholic catechism is predominantly offered. Although religious training is not obligatory, in the past, some students reportedly felt pressured to participate. Jewish officials noted in 2001 that basic information about Judaism provided to students was inaccurate. Since then several textbooks have been revised; however, Jewish leaders have not yet had an opportunity to review the new material.

Restitution of nationalized property remains a problem. Major religious communities identify property return as their top priority. The previous Government implemented property restitution in a discriminatory manner. A 1998 concordat with the Vatican provided for the return of all Catholic Church property confiscated by the Communist regime after 1945. The agreement stipulates that the Government would return seized properties or compensate the Church where return is impossible. Some progress was made with some returnable properties being restituted; however, there has been no compensation to date for non-returnable properties. There are no property restitution agreements between the Government and other religious groups. The Orthodox community has filed several requests for the return of seized properties, and some cases have been resolved successfully, particularly cases involving buildings in urban centers. However, several buildings in downtown Zagreb have not been returned, nor have properties that belonged to monasteries, such as arable land and forest. Such uneven progress may be the result of a slow judicial system rather than a systematic effort to deny restitution of Orthodox properties. Several Jewish properties, including some Zagreb buildings, have not been returned. The process of returning nationalized property to the Jewish community is at a near standstill. There has been no progress on the restitution of the Haver Kadosh Building in Zagreb previously owned by a Jewish organization. In 2001 the Government failed to meet two court-mandated deadlines to enact amendments to the "Law on Compensation for Property Taken During Yugoslav Communist Rule" that were struck down by the Constitutional Court in 1999.

The World War II Jasenovac concentration camp, site of a memorial and museum, was damaged severely during the 1991–95 conflict, and renovation is ongoing. In April 2002, a government delegation, led by the Prime Minister, attended a commemoration ceremony at the camp that also was attended by several leaders of ethnic and religious minority communities.

In October 2001, President Stjepan Mesic visited Israel and apologized for persecution of Jews by the country's World War II fascist government. In January 2002, a Knesset Delegation visited the country, signaling improved ties between the two States.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Religion and ethnicity are closely linked in society, and religion often was used to identify non-Croats and single them out for discriminatory practices. Such attitudes led to religious institutions being the target of violence. During the ethnic conflict of the past 11 years, religious institutions of all faiths have been targets of violence. Such incidents still occur, particularly in the tense Danubian region (Eastern Slavonia), in which there were persistent reports of vandalism directed against Serb Orthodox buildings and cemeteries. Monitors from the Organization for Security and Cooperation in Europe (OSCE) recorded 49 incidents of harassment or violence toward religious persons or sites during the period covered by this report, compared with 23 such incidents in the period covered by the previous report. Observers note that the majority of incidents go unreported, and that the apparent increase may be due to greater reporting rather than an increase in incidents. Both OSCE observers and religious leaders note that overall ethnic and religious relations are improving slowly. While there was no specific breakdown of these incidents by denomination, monitors reported that the majority were directed against the Serb Orthodox community, and that 26 were in the Danubian region (Eastern Slavonia). Incidents typically include disruption of religious services, harassment of clergy, and vandalism of cemeteries. In June 2002, 13 tombstones were damaged at an ethnic Serb military cemetery in Vukovar; in September 2002, tombstones at the same cemetery were damaged—marking the seventh such incident at the cemetery. In August 2002, fascist Ustasha symbols were painted on the Serb Orthodox church in the Dalmatian city of Split. Local observers believed the incident was related to the reopening of a nearby Orthodox chapel, which was reconstructed after 65 years. There were no arrests made in connection with any of these incidents. In September 2001 six Muslim tombstones in the old cemetery of Osijek were damaged. Two juveniles were arrested.

Conservative elements within the Catholic hierarchy have expressed dissatisfaction with government policies, including cooperation with the International Criminal Tribunal for Yugoslavia, and have expressed concern for citizens indicted for war crimes. In November 2001, the Catholic Bishops' Conference (HBK) issued a statement on the country's economic situation that was sharply critical of the Government. The statement, part of a longer-running dispute between the HBK and the coalition government, sparked great media controversy.

Since Catholic Archbishop of Zagreb Josip Bozanic took office in 1997 and became head of the HBK, the Catholic Church has sought a more proactive role in advocating reconciliation. Catholic Radio includes a monthly program on ecumenism, inviting speakers from other religious communities. Ecumenical efforts among the religious communities have developed in an atmosphere of mutual understanding. For example, religious leaders met frequently during the period covered by this report, both formally and informally, to develop suggestions for the government office drafting the religious legislation and to discuss other issues of mutual interest.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government actively works to encourage the Government to respect religious freedom in practice. U.S. Embassy officials meet frequently at all levels with representatives of religious communities and are engaged in the promotion of human rights, including the religious rights of these groups. The Embassy is a leader of the "Article 11 Commission," a group of 24 international missions in the country that directly addresses issues of ethnic and religious reconciliation, and human rights.

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**CYPRUS**

The Constitution of the Republic of Cyprus provides for freedom of religion, and the Government generally respects this right in practice. The basic law in the Turkish Cypriot community also provides for freedom of religion, and the Turkish Cypriot authorities generally respect this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion; however, reciprocal visits to religious sites continued to be restricted during the period covered by this report.

The generally amicable relationship among religions in Cypriot society contributed to religious freedom; however, there were a few reports of vandalism of unused religious sites.

The U.S. Government discusses religious freedom issues with the authorities in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 3,571 square miles, and its population is estimated at 759,100.

Prior to 1974, the country experienced a long period of inter communal strife between its Greek and Turkish Cypriot communities. In response, the U.N. Force in Cyprus (UNFICYP) began peacekeeping operations in 1964. The island has been divided since the Turkish military intervention of 1974, following a coup d'etat directed from Greece; the southern part of the island is under the control of the Government of the Republic of Cyprus, while the northern part is ruled by a Turkish Cypriot administration. In 1983 that administration proclaimed itself the "Turkish Republic of Northern Cyprus" ("TRNC"). The TRNC is not recognized by the United States or any other country except Turkey.

Approximately 96 percent of the population in the government controlled area are Greek Orthodox. Approximately 0.7 percent of the remaining population are Maronite, slightly less than 0.4 percent are Armenian Orthodox, 0.1 percent are Latin (Roman Catholic), and 3.2 percent belong to other groups; the latter category includes small groups of Cypriot Protestants and foreigners of various religious beliefs.

A 1998 opinion poll indicated that about 48 percent of Greek Cypriots attend church services regularly, while 49 percent attend only for major religious holidays and ceremonies such as weddings and funerals. The remainder do not attend religious services at all. Approximately 10 percent of the population in the north attend religious services regularly.

An estimated 99 percent of the Turkish Cypriot population is at least nominally Muslim. There is a small Turkish Cypriot Baha'i community. Most other non-Muslims in the north are foreigners from Western Europe who are frequently members of the Roman Catholic or Anglican Churches.

There is some western Protestant missionary activity in the government-controlled area.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution of the Republic of Cyprus provides for freedom of religion, and the Government generally respects this right in practice. The basic law in the Turkish Cypriot community also provides for freedom of religion, and the authorities generally respect this right in practice. Turkish Cypriots residing in the south and Greek Cypriots living in the north are allowed to practice their religions.

The 1960 Constitution of the Republic of Cyprus specifies that the Greek Orthodox Church (which is autocephalous and not under the authority of the mainland Greek Orthodox Church) has the exclusive right to regulate and administer its internal affairs and property in accordance with its holy canons and charter. The Constitution states that the Turkish Cypriot religious trust, the Vakf (the Muslim institution that regulates religious activity for Turkish Cypriots), has the exclusive right to regulate and administer its internal affairs and property in accordance with Vakf laws and principles. No legislative, executive, or other act can contravene or interfere with the Orthodox Church or the Vakf. Both the Greek Orthodox Church and the Vakf are exempt from taxes with regard to religious activity. According to law, they are required to pay taxes only on strictly commercial activity.

Three other religious groups are recognized in the Constitution: Armenian Orthodox, Maronite Christians, and Latins (Roman Catholics). These groups also are exempt from taxes and are eligible, along with the Greek Orthodox Church and the Vakf, for government subsidies to their religious institutions. No other religious group is recognized in the Constitution.

Both the Government of Cyprus and the Turkish Cypriot administration have constitutional or legal bars against religious discrimination. The basic agreement covering treatment of Greek Cypriots and Maronites living in the north and Turkish Cypriots living in the south remains the 1975 Vienna III Agreement. Among other things, this agreement provides for facilities for religious worship.

Religions other than the five recognized religions are not required to register with government authorities; however, if they desire to engage in financial transactions, such as maintaining a bank account, they must register as a nonprofit company, and most do so. The registration process involves submission through an attorney of an application that states the purpose of the nonprofit organization and provides

the names of the organization's directors. Annual reports of the organization's activities are required. Such nonprofit organizations are tax-exempt. Registration is granted promptly, and many religious groups are recognized. No religious groups were denied registration during the period covered by this report.

There are no prohibitions against missionary activity or proselytizing in the government-controlled areas. Foreign missionaries must obtain and periodically renew residence permits in order to live in the country; normally renewal requests are not denied.

Instruction in the Greek Orthodox religion is mandatory for all Greek Orthodox children and is taught in all public primary and secondary schools in classes held twice per week in the government-controlled area. Members of Jehovah's Witnesses and Maronite parents can request that their children be excused from such instruction. Such requests routinely are granted. There are no reports of practitioners of other religions requesting such an exemption.

There is no government-sponsored interfaith activity.

The Government of Cyprus recognizes the following religious holidays as national holidays: the Epiphany, Annunciation, Good Friday, Easter Monday, Holy Spirit Day, Assumption Day, and Christmas Day.

In the northern part of the island, the Turkish Cypriot basic law refers specifically to a "secular republic," and provides for religious freedom; no specific religion is recognized in the basic law. However, based on the 1960 Constitution, the Vakf, which pays the costs of Muslim religious activities and the salaries of Muslim religious leaders, is tax-exempt in regard to its religious activities (the Vakf pays taxes on its commercial and real estate operations) and receives official subsidies. No other religious organization is tax-exempt or receives subsidies.

Religious organizations are not required to register with the Turkish Cypriot authorities unless they wish to engage in commercial activity or apply for tax-exempt status. There are no legal restrictions on missionary activity; however, such activity is rare.

There is instruction in religion, ethics, and comparative religions in two grades of the primary school system in the Turkish Cypriot community. There is no formal Islamic religious instruction in public schools, and there are no state-supported religious schools.

The Turkish Cypriot authorities do not sponsor any interfaith activity.

The following religious holidays are observed widely in the Turkish Cypriot community: Kurban Bairam, Birthday of the Prophet, and Ramazan Bairam.

#### *Restrictions on Religious Freedom*

In May 2001, the European Court of Human Rights ruled that the Government of Turkey was responsible for restrictions imposed on Greek Cypriots resident in the north in regard to their access to places of worship and participation in other areas of religious life.

In 2001 Turkish Cypriot authorities and the Government of Cyprus came to an agreement, after 4 years, on the assignment of a second Orthodox priest to work in the north. However, the Government of Cyprus still had not identified a candidate for the position at the end of the period covered by this report.

In May 2000, the Turkish Cypriot authorities eliminated the system of fees imposed in 1998 for crossing the buffer zone, although a \$1.55 (1 Cyprus pound) processing fee remained in effect. Reciprocal visits to religious sites were suspended in July 2000. Such visits took place under a 1997 agreement that allowed Greek Cypriots to visit the Apostolos Andreas monastery in the north on designated Christian religious holidays, and Turkish Cypriots to visit the Hala Sultan mosque in the south on certain Muslim religious holidays. In July 2000, Turkish forces established a checkpoint in a location adjacent to the Greek Cypriot village of Strovilia and the British eastern Sovereign Base Areas. Although access to Strovilia had been largely unimpeded, the checkpoint provides Turkish forces the ability to control the approach to the village. Despite protests from the UNFICYP and others, Turkish forces remained at the contested checkpoint at year's end in violation of the status quo. Turkish forces restricted UNFICYP movement, including refusing to allow the UNFICYP to man a checkpoint in Kokkina. On July 31, 2000, Greek Cypriot officials responded to those moves and denied Turkish Cypriots land passage to Kokkina. Visits to this pocket of land (which contains a memorial and is surrounded by the government-controlled area) are included in the 1997 reciprocal visit agreement. In August and November 2000, Turkish Cypriot officials denied access to southern Greek Cypriots to visit the Apostolos Andreas monastery. No reciprocal visits took place during the period covered by the report.

Maronites may not visit certain religious sites in the north located in military zones. Armenians may not visit any religious sites in the north.

Although missionaries have the legal right to proselytize in both communities, missionary activities are monitored closely by both Greek Cypriot and Turkish Cypriot authorities. The police may initiate investigations of religious activity based on a citizen's complaint under laws that make it illegal for a missionary to use "physical or moral compulsion" in an attempt to make religious conversions. They also may investigate when missionaries may be involved in illegal activities that threaten the security of the republic, constitutional or public order, or public health and morals. There are occasional apprehensions under these laws resulting in publicity but no arrests. On June 20, 2002, police brought in three American citizens who were walking along a busy Turkish Cypriot road with a large Christian cross to Turkish Cypriot police headquarters. They were warned that their activity was unwise in a Muslim area and released.

In both the government-controlled areas and the Turkish Cypriot community, there were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

In both the government-controlled areas and the Turkish Cypriot community, there were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

There are polite relations between the Greek Cypriot Orthodox Church and the other religious communities in the south. In the north there are few non-Muslims, but there is no friction between them and the nominally Muslim population. Greek Cypriots living in the north report that unused Orthodox churches continued to be vandalized. Although Turkish Cypriots reported that unused mosques in the south also have been vandalized, the Government routinely carried out maintenance and repair of mosques in the south. A previously unknown Greek Cypriot nationalist organization claimed responsibility for an arson attack on a mosque in the south in August 1999. Damage was light. The authorities repaired and built a fence around the mosque and pledged to increase protection of Muslim sites. No one was arrested for the attack, and the case remains unresolved.

The Orthodox Church is suspicious of any attempts to proselytize among Greek Cypriots and closely monitors such activities. On occasion the Greek Cypriot media has given extensive coverage to the activities of foreign missionaries, creating a chilling effect on those activities.

There has been little official effort at ecumenical activity. In March 2001, a monastery in the Greek Orthodox Church sponsored an international ecumenical religious congress entitled "Encounter of Religions and Civilizations." Its stated goal was to promote understanding and cooperation in order to eliminate fanaticism and intolerance. In April 2002, the fifth annual Eurasia Islamic Congress took place in the Turkish Cypriot community. This event organized by the Turkish Government included discussions on tolerance and understanding and dialogue among religions.

Religion is a significantly more prominent component of Greek Cypriot society than of Turkish Cypriot society, with correspondingly greater cultural and political influence. One example of the relationship between church and state among Greek Cypriots is the fact that the leader of the Greek Cypriot campaign for independence in the 1950's was the head of the Greek Orthodox Church, Archbishop Makarios III, who became president from independence in 1960 and served until his death in 1977.

As the largest owner of real estate in the south and the operator of several large business enterprises, the Greek Orthodox Church is a significant economic factor. Similarly, the Vakf is the largest landowner in the north.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the authorities in the context of its overall dialog and policy of promoting human rights.

The U.S. Embassy played a key role, working closely with the U.N., in obtaining agreement from both sides in January 2000 to initiate a project to restore the island's two most significant religious sites, the Apostolos Andreas monastery and the Hala Sultan mosque. Restoration work at the sites began in 2001 based on recommendations from the world's leading experts in structures of this type and period. Both sites have been cleaned, fenced, and re-landscaped. The ancillary buildings at both sites have been renovated, and work on the church and mosque buildings is scheduled to begin in the fall of 2002.

The Ambassador and other Embassy officers meet periodically with Greek Cypriot and Turkish Cypriot religious authorities regarding specific religious freedom concerns.

## CZECH REPUBLIC

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 30,379 square miles and its population is an estimated 10.3 million. The country has a largely homogenous population with a dominant Christian tradition. However, largely as a result of 40 years of Communist rule between 1948 and 1989, the vast majority of the citizens do not identify themselves as members of any organized religion. In a 2001 opinion poll, 38 percent of respondents claimed to believe in God, while 52 percent identified themselves as atheists. Nearly half of those responding agreed that churches were beneficial to society. There was a revival of interest in religion after the 1989 "Velvet Revolution"; however, the number of those professing religious beliefs or participating in organized religion has fallen steadily since then in almost every region of the country.

An estimated 5 percent of the population attend Catholic services weekly. Most of these churchgoers live in the southern Moravian dioceses of Olomouc and Brno. The number of practicing Protestants is even lower (approximately 1 percent). Leaders of the local Muslim community estimate that there are 20,000 to 30,000 Muslims, although Islam has not been registered as an officially recognized religion since the Communist takeover in 1948. There is a mosque in Brno and another in Prague. The Jewish community, which numbers only a few thousand persons, is an officially registered religion, since it was recognized by the State before 1989.

Missionaries of various religious groups, including the Church of Jesus Christ of Latter-Day Saints (Mormons) and Jehovah's Witnesses, are present in the country. Missionaries of various religions generally proselytize without hindrance.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

Religious affairs are the responsibility of the Department of Churches at the Ministry of Culture. All religions officially registered with the Ministry of Culture are eligible to receive subsidies from the State, although some religions decline state financial support as a matter of principle and as an expression of their independence. There are 21 state-recognized religions, 2 of which have been registered since 1991; no groups were seeking to register at the end of the period covered by this report. In 1999 the Department of Churches denied registration to the Unification Church (UC) when it determined that the UC had obtained the required proof of membership by fraud. In 2002 the courts upheld the Government's decision to deny registration; however, an appeal of that decision remained pending at the end of the period covered by this report. Registration of Islam has been discussed with the Department of Churches, but there has been no formal application. In order to register, a religious group must have at least 10,000 adult members permanently residing in the country. These churches receive the same legal and financial benefits from the Government as do other churches. Churches registered prior to 1991, such as the small Jewish community, are not required to meet these conditions. Unregistered religious groups, such as the small Muslim minority, may not own community property legally, but often form civic-interest associations for the purpose of managing their property and other holdings until they are able to meet the qualifica-

tions for registration. The Government does not interfere with or prevent this type of interim solution. Unregistered religious groups otherwise are free to assemble and worship in the manner of their choice.

On January 1, 2002, a new law on "Religious Freedom and the Position of Churches and Religious Associations" became effective, following a December 2001 override of President Vaclav Havel's veto. The law creates a two-tiered system of registration for religious organizations. A religious group may be registered with as few as 300 adult adherents. Registration at this level conveys limited tax benefits and imposes annual reporting requirements, as well as a 10-year waiting period before the organization is permitted to apply for full, second tier registration. Under the old law, registered churches would receive second-tier status automatically. Full registration requires adult adherents equal to 0.1 percent of the population (approximately 10,000) and entitles an organization to a share of state funding. Only clergy of fully registered religious organizations may perform marriage and serve as chaplains in the military and prison systems. Several unregistered religious groups (including Muslims and the Church of Scientology) have criticized the law because they believe that it is prejudicial against smaller religions. The Catholic Church also has criticized the law on the grounds that it unduly restricts the manner in which the Church manages and finances many of its social projects; a provision bars the church from using profits from church-owned enterprises for religious activity.

Churches receive approximately \$88.2 million (3 billion Czech crowns) annually from the Government. Funds are divided proportionally among the 21 registered religions based on the number of clergy in each, with the exception of 4 religions (Mormons, Jehovah's Witnesses, New Apostolic Church, and Christian Communities) that do not accept state funding. Of this sum, approximately \$17 million (642 million Czech crowns) is used to pay salaries to clergymen. The rest of the funding goes to state grants for church medical, charitable, and educational activities, as well as for the maintenance of church memorials and buildings.

A 2000 law outlaws Holocaust denial and provides for prison sentences of 6 months to 3 years for public denial, questioning, approval, or attempts to justify the Nazi genocide. The law also outlaws the incitement of hatred based on religion.

Missionaries must obtain a long-term residence and work permit if they intend to remain longer than 30 days. There were no reports of delays in processing visas for missionaries during the period covered by this report. There is no special visa category for religious workers; foreign missionaries and clergy are required to meet the relatively stringent conditions for a standard work permit even if their activity is strictly ecclesiastical or voluntary in nature.

Religion is not taught in public schools, although a few private religious schools exist. Religious broadcasters are free to operate without hindrance from the Government or other parties.

The Government continued to make progress in resolving religious-based communal and personal property restitution problems, especially with regard to Jewish property. Jewish claims date to the period of the Nazi occupation, while Catholic authorities are pressing claims to properties that were seized under the former Communist regime. Although after 1989 the Government and Prague city officials returned most synagogues and other buildings previously belonging to religious orders, many claims to properties in the hands of other municipal authorities have not yet been resolved satisfactorily. Restitution or compensation of several categories of Jewish personal property is in progress. In addition, the Catholic Church claims vast tracts of woods and farmlands.

The 1991 Law on Restitution applied only to property seized after the Communists took power in 1948. In 1994 the Parliament amended the law to provide for restitution of, or compensation for, property wrongfully seized between 1938 and 1945. This amendment provided for the inclusion of Jewish private properties, primarily buildings, seized by the Nazi regime. In the late 1990's, the Federation of Jewish Communities identified 202 communal properties as its highest priorities for restitution, although it had unresolved claims for over 1,000 properties. By decree the Government returned most of the properties in its possession, as did the city of Prague; however, despite a government appeal, other cities have not been as responsive. As of the end of the period covered by this report, only 68 of the 202 properties had been returned. A 2000 law authorized the return of 200 communal Jewish properties in state hands. The same law also authorized the Government to return more than 60 works of art in the National Gallery to the Jewish community and an estimated 7,000 works of art in the State's possession to individual Jewish citizens and their descendants. A fourth provision of the law authorized the return of certain agricultural property in the Government's possession to its original owners. In September 2000, the Government proposed and the Chamber of Deputies authorized approximately \$7.9 million (300 million crowns) for a compensation fund

to pay for those properties that cannot be restituted physically. The fund, which began operating in June 2001, is expected to provide partial compensation in those cases where the Government needs to retain the property or is no longer in possession of it; to help meet the social needs of poor Jewish communities outside Prague; and to support the restoration of synagogues and cemeteries. Approximately two thirds of the funds are to be dedicated to communal property and one-third to individual claims. Applications for the fund were accepted from June through December 2001. The Government was evaluating the claims at the end of the period covered by this report.

Certain property of religious orders, including 175 monasteries and other institutions, was restituted under laws passed in 1990 and 1991, but the return generally did not include income-generating properties. When the Social Democratic government came to power in 1998, it halted further restitution of non-Jewish religious communal property, including a decision of the previous government to return 432,250 acres of land and some 700 buildings to the Catholic Church. Discussions are continuing in the two church-state commissions regarding the form of an overall settlement of all outstanding restitution issues, including further restitution of Protestant properties. In 2000 Prime Minister Milos Zeman visited the Vatican and discussed Czech Republic/Catholic relations and property restitution with Pope John Paul II. In April 2001, the Government agreed in principle to draft a law that would allow for the return of houses of worship, parish houses, and monasteries to the Catholic Church.

Members of unregistered religious groups may issue publications without interference.

There was no government-sponsored interfaith activity.

The two government commissions established in 1999 to improve church-state relations continued to meet during the period covered by this report. One of the commissions is a "political" commission with the presence of all parties represented in Parliament, and the second is a "specialist" commission composed of experts, including lawyers, economists, and church representatives. The commissions advise the Government on church-related property questions and legislation on religious topics.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvement and Positive Developments in Respect for Religious Freedom*

In May 2002, the Parliament passed a measure to extend the deadline for filing art restitution claims for Holocaust victims by 4 years, which subsequently was signed into law by the President. The deadline had been set for December 31, 2002, but was extended until December 31, 2006. Also in May, a longstanding restitution case was settled by means of alternative dispute resolution. An expert panel determined that the painting, "Man in a Fur Hat," was an authentic Rembrandt and that it was the legal property of a Jewish collector who perished during the Holocaust. The painting, previously held by the National Gallery, was returned to the heirs on the basis of the panel's decision.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

The immigrant population is still relatively small, and includes persons from Sri Lanka, Afghanistan, Iraq, and the former Yugoslavia. Immigrants have not reported any difficulties in practicing their respective faiths.

Local Muslims reported that there were no incidents of religious intolerance toward their community during the period covered by this report.

A small but persistent and fairly well-organized extreme rightwing movement with anti-Semitic views exists in the country. Police were criticized on several occasions during the period covered by this report for failing to intervene against neo-Nazis shouting anti-Semitic slogans at concerts and rallies. In May 2001, the Ministry of the Interior announced a forceful effort to counter the neo-Nazis, including increased monitoring of their activities, closer cooperation with police units in neighboring countries, and concentrated efforts to shut down unauthorized concerts and

gatherings of neo-Nazi groups. That effort continued during the period covered by this report. During 2001 a court convicted Vit Varak on charges of disseminating hate speech and propagation of a movement aimed at suppressing rights and freedoms for selling "Mein Kampf" on the Internet; he was fined. In December 2000, police in Zlin uncovered another group distributing neo-Nazi recordings, publications, and badges. A 21-year-old woman was charged with suppressing rights and freedoms; her case was pending at the end of the period covered by this report.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Government efforts on religious issues have focused largely on encouraging the Government to resolve religious property restitution claims and registration of religious organizations.

During the period covered by this report, U.S. Government and Embassy officials emphasized on numerous occasions to the Government the importance of returning property wrongfully taken from Holocaust victims, the Jewish community, and churches, or of fair and adequate compensation when return is no longer possible.

The Embassy maintains close and continuing contact with the Office of the President, the Ministry of Foreign Affairs, the Ministry of Culture, representatives of various religious groups, and nongovernmental organizations. Embassy officials met on several occasions with representatives of the Ministry of Culture to discuss the new law on religious registration, as well as representatives of smaller religious groups affected by the new law, including Muslims, Scientologists, the Unification Church, and Hare Krishnas. Several meetings were held with representatives from the Ministry of Culture, the Federation of Jewish Communities, and the Prague Jewish Community on restitution issues. Embassy officials also responded to individual requests for assistance from Czech-American Holocaust victims seeking compensation. On May 19, 2002, the First Lady and the Ambassador attended a memorial service and placed wreaths in remembrance of Holocaust victims at the Terezin (Theresienstadt) concentration camp.

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## DENMARK

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Evangelical Lutheran Church is the state church and enjoys some privileges not available to other faiths.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 16,640 square miles, and its population is approximately 5.4 million. More than 86 percent of the population adheres to the Evangelical Lutheran Church. Other religious organizations represent approximately 5 percent of the population, with Muslims, the next largest group, accounting for approximately 2 percent of the population. The remaining approximately 9 percent of the citizens are without a religion.

Missionaries operate within the country, including representatives of the Church of Jesus Christ of Latter-Day Saints (Mormons) and members of Jehovah's Witnesses; however, there is no detailed information available on missionary activity.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

There is an official state religion. The Constitution stipulates that the Evangelical Lutheran Church is the national church, and it is the only Church that is subsidized

directly by the Government. However, no individual may be compelled to pay church tax or provide direct financial support to the national church or any other religious organization. The Government does not require that religious groups be licensed; however, the State's permission is required for religious ceremonies, such as weddings, if they are to have civil validity. Although there is no civil or criminal penalty for not registering, nonregistered religious organizations do not qualify for tax exempt status. By 1969 11 other religious organizations had official recognition by royal decree (essentially the State's permission for a religious organization to perform religious ceremonies that have civil validity).

Since the implementation of the 1969 Marriage Act, the Ministry of Ecclesiastical Affairs has granted permission to clergy of 60 additional, non-recognized religious organizations to perform marriages. The Marriage Act permits weddings to be performed "within other religious organizations," provided that one of the parties to the marriage belongs to the organization, and the organization has clergy that have been granted permission to perform marriage by the Ministry of Ecclesiastical Affairs. Thus, religious organizations no longer need to obtain "recognition" since "approval" is given when the Ministry grants permission to perform weddings to specific religious organizations. Both recognized and approved religions enjoy certain tax exemptions. The approval process is not complicated or protracted.

Guidelines for future approval of religious organizations, linked to the 1969 Marriage Act and published in 1999, established clear requirements that religious organizations must fulfill. These include providing the following: a written text of the religion's central traditions; descriptions of its most important rituals; an organizational structure accessible for public control and approval; and constitutionally elected representatives who may be held responsible by the authorities. Additionally, the organization must "not teach or perform actions inconsistent with public morality or order."

Scientists continue to seek official approval as a religious organization. Their first application for approval was made in the early 1970's and rejected; the second and third applications were made in 1976 and 1982 and both were denied. In mid-1997 the Scientists filed a fourth application, which was suspended at their request in 2000. In suspending their application, the Scientists asked the Ministry of Ecclesiastical Affairs to clarify the approval procedure; however, according to the Ministry, the Scientists first must submit an application before the Ministry can provide any feedback. The Scientists did not resubmit an application by the end of the period covered by this report.

There are no restrictions on proselytizing so long as proselytizers obey the law and do not act inconsistently with public morality or order. All schools, including religious schools, receive government financial support. While the Evangelical Lutheran faith is taught in the public schools, a student may withdraw from religious classes with parental consent.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

After several years of searching for an appropriate site, the Muslim community identified a piece of land in Broendbyoester on which they would like to build the country's first Muslim cemetery; more than 20 major cemeteries already agreed to provide reserved sections for Muslim burials. Negotiations were ongoing with local governmental authorities at the end of the period covered by this report. The Muslim community also was attempting to identify a site and funding for the construction of a fullscale mosque in the country at the end of the period covered by this report.

### SECTION III. SOCIETAL ATTITUDES

The country has a long history of welcoming religious minorities and affording them equal treatment. There are generally amicable relations between religious groups, although the recent influx of a substantial Muslim population has resulted in some tension with the majority population of adherents of the Evangelical Lutheran Church. Minority group unemployment tends to be higher, and allegations

of discrimination on the basis of religion sometimes are raised. However, it is difficult to separate religious differences from differences in language and ethnicity, and the latter may be at least as important in explaining unequal access to well-paying jobs and social advancement. There are no significant ecumenical movements that promote greater mutual understanding and religious tolerance.

There were isolated incidents of anti-Semitic and anti-immigrant vandalism, primarily graffiti, during the period covered by this report. The Government criticized the incidents and investigated several of them.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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### ESTONIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. In April 2002, the Government registered the Estonian Orthodox Church subordinate to the Moscow Patriarchate.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 17,666 square miles and a population of 1.36 million inhabitants (65 percent ethnic Estonian and 35 percent Russian-speaking). The Estonian Evangelical Lutheran Church (EELC) is the largest denomination, with 165 congregations and approximately 177,230 members as of May 2001. The Estonian Apostolic Orthodox Church (EAOC) has 59 congregations with approximately 18,000 members and the Estonian Orthodox Church, subordinated to the Moscow Patriarchate (EOCMP), has 32 congregations with approximately 100,000 members. There are smaller communities of Baptist, Roman Catholic, members of Jehovah's Witnesses, Pentecostal, Old Believers, Methodist, and other denominations. There is a small Jewish community with 2,500 members. In December 2000, the country's only synagogue was opened in the Jewish school facility. There are also communities of Muslims, Buddhists, and many other denominations and faiths; however, each of these minority faiths has fewer than 6,000 adherents.

Forty years of communism diminished the role of religion in society. Many neighborhoods built since World War II do not have religious centers, and many of the surviving churches require extensive renovations. Church attendance, which had seen a surge coinciding with the independence movement in the early 1990s, now has decreased significantly. Anecdotal evidence from local Lutheran churches indicates a 76 percent decrease in registered confirmations between 1990 and 2000.

Many groups have sent foreign missionaries into the country in recent years; the Church of Jesus Christ of Latter-day Saints (Mormons) has the largest number of missionaries.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution states that there is no state church, thus establishing the separation of church and state. However, this has not been interpreted strictly in administrative practice. For example, the Churches and Congregations Act decrees that the commanding officer of each military unit shall ensure conscripts the opportunity to practice their religion; however, the coordination of chaplains' services to the prisons is delegated to one of the Lutheran diaconal centers. In response to an order by the Prime Minister, the center carries out this responsibility in a way that does not discriminate against non-Lutherans.

There also are other laws and regulations that directly or indirectly regulate individual and collective freedom of religion. The 1993 law on churches and religious organizations requires that all religious organizations have at least 12 members and to register with the Religious Affairs Department under the Ministry of Interior Affairs (MIA). Leaders of religious organizations must be citizens with at least 5 years residence in the country. The minutes of the constitutive meeting, a copy of statutes, and a notarized copy of three founders' signatures serve as supporting documents to the registration application.

In June 2001, Parliament adopted a revised law on churches and congregations that contained a provision barring the registry of any church or union of congregations whose permanent or temporary administrative or economic management is performed by a leader or institution situated outside Estonia. The Orthodox Church, Moscow Patriarchate, and the Estonian Council of Churches expressed concern that such a provision could have prevented the registry of churches and congregations that traditionally had been active in the country. Former President Lennert Meri refused to promulgate the law, declaring, in part, that it constituted an intrusion into the sphere of autonomy of religious institutions. In February 2002, Parliament adopted unanimously a revised Law on Churches and Religious Organizations with amendments, which removed the earlier disputed provision. On February 27, 2002, President Arnold Ruutel promulgated the law. It was scheduled to take effect on July 1, 2002.

On April 17, 2002, the MIA registered the Estonian Orthodox Church (EOC), Moscow Patriarchate and ended a series of disputes over the registration of the name EAOC. In 1993 the Estonian Apostolic Orthodox Church (EAOC), independent since 1919, subordinate to Constantinople since 1923, and exiled under the Soviet occupation, reregistered under its 1935 statute. A group of ethnic Russian and Estonian parishes that preferred to remain under the authority of the Russian Orthodox Church structure imposed during the Soviet occupation, attempted, unsuccessfully, to claim the EAOC name. In May 2001, the MIA had declined to approve an application by representatives of the Moscow Patriarchate, explaining that it could not formally register this church under its desired name as it would be confused too easily with the EAOC (Estonian Apostolic Orthodox Church).

In March 2002, the MIA rejected a second application by the Satanists to register as a religious organization. The Religious Affairs Department of the MIA returned the registration documents to the applicants saying that they were not in line with the legal requirements. Estonian Satanists made their first—unsuccessful—attempt to register three years ago. During the period covered by this report, no further attempts for registration by the Satanists had been made.

A program of basic Christian ecumenical religious instruction is available in public schools. In primary school parents decide whether their children will participate in these religious studies; at the gymnasium level pupils decide themselves if they will attend these classes. Only 35 schools and approximately 1,800 students participate in such programs. Comparative religious studies are available in public and private schools on an elective basis. There are three private church schools that have a religion-based curriculum, two in Tartu and one in Johvi.

The property restitution process largely has been completed except for those properties disputed by the two main branches of the Orthodox faith - the EAOC and the EOCMP. The specific details of EOCMP registration have significant implications for which branch of the Orthodox Church may receive legal title to church property. During the period covered by this report, most church properties, including those being used by the EOCMP legally belonged to the EAOC. Once the EOCMP became registered and acquired the legal capacity of a juridical person, it then obtained the right to initiate court proceedings to gain de jure control over the properties that it has used on a de facto basis with the permission of the EAOC. Although the EOCMP has this legal capacity, no such legal proceedings had been undertaken as of June 30, 2002.

The issue of the ownership of the Aleksander Nevski Cathedral, a prominent and valuable Tallinn landmark, remains unsettled. The Cathedral is owned by the city of Tallinn and rented out to its Russian Orthodox congregation on a several decade lease basis. According to local Jewish leaders, property restitution is not an issue for the community, as most prewar religious buildings were rented, not owned.

Good Friday, Easter Sunday, Christmas day, Pentecost, and Boxing Day are national holidays.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

The Churches and Congregations Act decrees that the commanding officer of each military unit shall ensure conscripts the opportunity to practice their religion. However, it is not clear whether or how this freedom is implemented in practice. The military chaplaincy is delegated by an order of the Prime Minister to an organization operated by the Lutheran Church.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations between the various religious communities are generally amicable. Although the majority of citizens are nominally Lutheran, ecumenical services during national days, Christian holidays, or at public events are common. Tension between the ethnic Estonian and ethnic Russian populations generally does not extend to religious matters; however, the hierarchical dispute and legal conflict over church property has resulted in some resentment on the part of Christian Orthodox believers belonging to the Moscow Patriarchate (see Section II).

Most of the religious adherents among the country's Russian-speaking population are Orthodox, while the Estonian majority is predominantly Lutheran. There is a deep-seated tradition of tolerance of other denominations and religions. Although citizens are generally tolerant of new religions and foreign missionaries, some groups that are regarded widely as "cults" cause apprehension.

On November 1, 2000 (All Soul's Day), over 100 grave sites were destroyed in a cemetery in Tartu. The Tartu Police arrested 2 youths (ages 15 and 16) who described themselves as Satanists and subsequently confessed to hooliganism.

While no churches were vandalized during the period covered by this report, earlier thefts of church property prompted the Estonian Council of Churches and the board of antiquities to initiate a database of items under protection. The database, which is comprised of digital photos and detailed descriptions, will be shared with law enforcement agencies as needed.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Officials of the U.S. Embassy met regularly during the period covered by this report with appropriate government agencies, nongovernmental organizations, and a wide range of figures in religious circles. Embassy officials met with representatives of both sides in the dispute between the Estonian Apostolic Orthodox Church and the Russian Orthodox Church.

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## FINLAND

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. According to law, the Evangelical Lutheran Church and the Orthodox Church are the established state churches.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. However, the court has denied registration to the Finnish Association of Scientologists.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 130,127 square miles, and its population is approximately 5.2 million. The majority of the population belongs to one of the two state churches. Approximately 86 percent are members of the Evangelical Lutheran Church, and 1 percent belong to the Orthodox Church. An additional 1 percent belong to a wide variety of non state religions, and approximately 12 percent do not profess any religious affiliation.

Active members of the state Lutheran Church attend services regularly, participate in small church group activities, and vote in parish elections. However, the majority of church members are only nominal members of the state church and do not participate actively. Their participation occurs mainly during occasions such as holidays, weddings, and funerals. The Lutheran Church estimates that approximately 2 percent of its members attend church services weekly, and 10 percent monthly. The average number of visits to church by church members per year is approximately two.

Nontraditional religious groups freely profess and propagate their beliefs. Such groups as members of Jehovah's Witnesses and members of the Church of Jesus Christ of Latter-Day Saints (Mormons) have been active in the country for decades. Other groups include the Catholic, Muslim, and Jewish communities.

There is an extremely small but growing immigrant population, whose members tend to practice different faiths than those of most citizens. Many immigrants are Muslims from Somalia.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There are two state churches: the Evangelical Lutheran Church and the Orthodox Church. All citizens who belong to one of these state churches pay a church tax as part of their income tax. Those who do not want to pay the tax must inform the applicable state church that they are leaving that church. These church taxes are used to defray the costs of running the state churches. State churches also handle services such as recording births, deaths, and marriages, which for citizens outside these churches are handled by official state registrars. Nontraditional religious groups are eligible for some tax relief (for example, they may receive tax-free donations), provided that they are registered with, and recognized by, the Government as religious communities.

The Ministry of Education has outlined requirements for recognition of religious communities. Religious groups should have at least 20 members. The purpose of the group should be the public practice of religion, and the activities of the group should be guided by a set of rules. The Government recognizes 45 of these communities as churches.

The Government's procedures for recognizing religious communities are still under review. The Law on Freedom of Religion, which has been described as technically unclear, dates from 1923; draft amendments proposed by a government commission in 1999 aim to clarify the requirements for recognizing and registering religious communities, and to increase opportunities to practice one's faith and to belong to several religious groups simultaneously. The Government still was considering the commission's proposals and planned to introduce the bill to Parliament by the end of June 2002. The amended law would no longer ban simultaneous membership in several religious groups but would allow religious organizations themselves to regulate membership. In addition, minors over 12 years of age would have the option to change their religious affiliation from that of their parents. The proposed legislation also would reduce restrictions on the organization and operations of religious communities, facilitate the registration as churches of religious groups, and enhance their independence. The amendments also call for a separate law on funerals. Under present practices, persons not belonging to an established church often are subject to excessive burial expenses.

Instruction in the tenets of the state religions is incorporated into the curriculum of all public schools. However, students who are not members of the state churches may substitute general classes on religion and philosophy. The new amendments would allow parents or guardians belonging to other faiths or denominations to decide in what religion their children should be instructed.

The Constitution prohibits discrimination based on religion. Various government programs available through the Ministry of Education and the Ministry of Labor focus on ongoing discrimination, including discrimination based on religion. Studies and research, integration programs, and recommendations for further incorporation of immigrants into society have been the focal points of these programs. Religion has not been highlighted in particular, but remains a part of the Government's overall attempts to combat discrimination.

### *Restrictions on Religious Freedom*

In 1998 the Education Ministry turned down the application of the Finnish Association of Scientologists to be registered as a religious community. This was the first time in the country's history that an applicant had been denied church status. The

Scientologists' application had been pending for nearly 3 years while the Government awaited additional information that it had requested from the Association. In 1999 the Scientologists appealed the decision to the Parliamentary Ombudsman, who ruled that although the Education Ministry had made minor procedural errors, its actions had been substantively correct under the law. The Education Ministry's decision may be appealed to the Supreme Administrative Court. The Scientologists have not yet done so but have indicated that they intend to begin the process to appeal to the Supreme Administrative Court.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

Some citizens are not very receptive to proselytizing by adherents of nontraditional faiths, in part due to the tendency to regard religion as a private matter.

Nontraditional religious groups practice their religions freely. They generally are free from discrimination despite intolerant attitudes from some members of society.

Immigrants do not encounter difficulties in practicing their faiths; however, they sometimes encounter random discrimination and xenophobia.

The state churches often speak out in support of the Finnish/Nordic welfare state model, couching social welfare state values in religious or moral terms.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy promoting human rights. Embassy representatives periodically meet with representatives of the various religious communities (both mainstream and nontraditional) to discuss religious freedom issues.

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## FRANCE

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, religious groups continued to be concerned about the possible impact of legislation passed in 2001. The 1905 law on the separation of church and state prohibits discrimination on the basis of faith.

There was no overall change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom; however, during the period covered by this report, numerous anti-Semitic incidents occurred, mainly as a result of increased tensions in the Middle East. Government leaders and representatives from the country's four main religious groups strongly criticized the violence, and the Government continued to increase police security for Jewish institutions.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 211,210 square miles, and its population is approximately 60 million.

The Government does not keep statistics on religious affiliation. The vast majority of the population is nominally Roman Catholic. According to one member of the Catholic hierarchy, only 8 percent of the population are practicing Catholics. Muslims constitute the second largest religious group in number; Islam has approximately 4 to 5 million adherents, or approximately 7 to 8 percent of the population. Protestants make up 2 percent of the population, and the Jewish and Buddhist faiths each represent 1 percent.

The Jewish community numbers between 600,000 and 700,000 persons and is divided among Reform, Conservative, and Orthodox groups. According to press reports, up to 60 percent of the Jewish community celebrates at most only the high holy days such as Yom Kippur and Rosh Hashanah. One Jewish community leader

has reported that the largest number of practicing Jews in the country is Orthodox. Jehovah's Witnesses claim that 250,000 persons attend their services either regularly or periodically. Orthodox Christians number between 80,000 and 100,000; the vast majority are associated with the Greek or Russian Orthodox churches. According to various estimates, approximately 6 percent of the country's citizens are unaffiliated with any religion.

Other religions present in the country include evangelicals and the Church of Jesus Christ of Latter-Day Saints (Mormons). Membership in evangelical churches is growing due to increased participation by African and Antillian immigrants. Examples of minority religious groups include the Scientologists (membership estimates range from 5,000 to 20,000), the Raelians with approximately 20,000 members, the Association of the Triumphant Vajra, and the Order of the Solar Temple.

Foreign missionaries are present in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion and the Government generally respects this right in practice; however, religious groups continued to be concerned about the possible impact of legislation passed in 2001. The 1905 law on the separation of church and state—the foundation of existing legislation on religious freedom—makes it illegal to discriminate on the basis of faith.

Organizations are required to register, and the Government uses many categories to describe associations. Two of these categories apply to religious groups: "Associations culturelles" (associations of worship, which are exempt from taxes) and "associations culturelles" (cultural associations, which are not exempt from taxes). Associations in these two categories are subject to certain management and financial-disclosure requirements. An association of worship may organize only religious activities, defined as liturgical services and practices. A cultural association is a type of association whose goal is to promote the culture of a certain group, including a religious group. Although a cultural association is not exempt from taxes, it may receive government subsidies for its cultural and educational operations (such as schools). Religious groups normally use both of these categories; the Church of Jesus Christ of Latter-Day Saints, for example, runs strictly religious activities through its association of worship and operates a school under its cultural association.

Religious groups must apply with the local prefecture to be recognized as an association of worship and, therefore, receive tax-exempt status for their religious activities under the 1905 statute. The prefecture reviews the submitted documentation regarding the association's purpose for existence. To qualify the group's purpose must be solely the practice of some form of religious ritual. Printing publications, employing a board president, or running a school may disqualify a group from receiving tax-exempt status.

According to the Ministry of the Interior, 109 of 1,138 Protestant associations, 15 of 147 Jewish associations, and 2 of 1,050 Muslim associations have tax-free status. Roughly 100 Catholic associations are tax exempt; a representative of the Ministry of Interior reports that the total number of non-tax-exempt Catholic associations is too numerous to estimate accurately. More than 50 associations of the Jehovah's Witnesses have tax-free status.

According to the 1905 law, associations of worship are not taxed on the donations that they receive. However, the prefecture may decide to review a group's status if the association receives a large donation or legacy that comes to the attention of the tax authorities. If the prefecture determines that the association is not in fact in conformity with the 1905 law, its status may be changed and it may be required to pay a 60 percent tax rate on present and past donations.

For historical reasons, the Jewish, Lutheran, Reformed (Protestant), and Roman Catholic groups in three departments of Alsace Lorraine enjoy special legal status in terms of taxation of individuals donating to these religious groups. Adherents of these four religious groups may choose to have a portion of their income tax allocated to their church in a system administered by the central Government.

Central or local governments own and maintain religious buildings constructed before the 1905 law separating church and state. In Alsace and Moselle, special laws allow the local government to provide support for the building of religious edifices. The Government partially funded the establishment of the country's oldest Islamic house of worship, the Paris mosque, in 1926.

Foreign missionaries must obtain a 3-month tourist visa before leaving their own country. Upon arrival, missionaries must apply with the local prefecture for a *carte de sejour* (a document that allows a foreigner to remain in the country for a given

period of time), and then must provide the prefecture a letter from their sponsoring religious organization.

Religion is not taught in public schools. Parents may homeschool children for religious reasons, but all schooling must conform to the standards established for public schools. Public schools make an effort to supply special meals for students with religious dietary restrictions. The State subsidizes private schools, including those that are affiliated with churches.

Five of the country's 10 national holidays are Catholic holidays.

In February 2002, the Government and the Vatican initiated church-state meetings that are expected to focus on administrative and judicial matters.

The Government has made efforts to promote interfaith understanding. Strict antidefamation laws prohibit racially or religiously motivated attacks. The Government has programs to combat racism and anti-Semitism through public awareness campaigns, and by encouraging dialog between local officials, police, and citizen groups. Following the numerous anti-Semitic incidents that occurred during the period covered by this report, government leaders, along with representatives from the Jewish community, the Paris and Marseille Grand Mosques, the Protestant Federation, and the French Conference on Bishops, came together to criticize the violence.

#### *Restrictions on Religious Freedom*

Following mass suicides in 1994 by members of the Order of the Solar Temple, successive governments have encouraged public caution towards some minority religious groups that it may consider to be "cults." In 1996 a parliamentary commission studying so-called cults issued a report that identified 173 groups as cults, including Jehovah's Witnesses, the Theological Institute of Nimes (an evangelical Christian Bible College), and the Church of Scientology. The Government has not banned any of the groups on the list; however, members of some of the groups listed have alleged instances of intolerance due to the ensuing publicity.

The Government's "Interministerial Mission in the Fight against Sects/Cults" (MILS), which was created in 1998, is responsible for coordinating periodic inter ministerial meetings at which government officials can exchange information on cults and coordinate their actions. Although the Government instructed the MILS to analyze the "phenomenon of cults," its decree did not define the term cult or distinguish cults from religions. On February 19, 2002, the MILS released its third annual report. The report noted a stagnation in cult activities in the country but stated that disasters may provide enhanced opportunity for cult recruitment of potentially vulnerable victims. A separate case study focused on potential cult activities in the health care field. On June 17, 2002, the President of MILS resigned; no replacement had been named as of the end of the period covered by this report.

The June 2001 About-Picard law, which tightens restrictions on organizations, does not define cults; however, its articles list criminal activities for which a religious association (or other legal entity) could be subject to dissolution. These include: endangering life or the physical or psychological well-being of a person; placing minors at mortal risk; violation of another person's freedom, dignity, or identity; the illegal practice of medicine or pharmacology; false advertising; and fraud or falsifications. Certain registered private associations, including anti-cult associations, are given standing as third parties to initiate criminal action on behalf of alleged victims against a "person or organization that has the goal or effect of creating or exploiting a psychological or physical dependence." The law also reinforces existing provisions of the Penal Code by adding language covering the exploitation of the "psychological or physical subjection" of "fraudulent abuse of a state of ignorance or weakness." Leaders of the four major religions, such as the president of the French Protestant Federation and the president of the Conference of Bishops in France, raised concerns about the legislation. By the end of the period covered by this report, no cases had been brought under the new law.

In April 2001, the Paris branch of the Church of Scientology was taken to court for attempted fraud, false advertising, and violation of the Data Privacy Act. The case was brought by three persons, including a former member of the group, who alleged that they continued to receive mass mailings despite requests to be taken off lists. According to press reports, the prosecutor requested that the court consider dissolving the church in Paris; however, there was no legal request for dissolution. On May 17, 2002, the court found the Paris branch guilty of violating the privacy of former members and fined them approximately \$8,000 (8,000 Euros); however, the branch was cleared of attempted fraud and false advertising. The court fined the president of the Ile-de-France section of the organization approximately \$2,000 (2,000 Euros). Church of Scientology representatives report that a case filed by a parent whose child attended an "Applied Scholastics"-based school remained ongoing.

Local authorities often determine the treatment of religious minorities. The Association of the Triumphant Vajra was involved in a dispute with local officials over a statue of the Association's guru that allegedly was erected without a permit. After a final court ruling, the statue was demolished on September 6, 2001.

Some observers are concerned about the scrutiny with which tax authorities have examined the financial records of some religious groups. The Government does not recognize all branches of Jehovah's Witnesses or the Church of Scientology as qualifying religious associations for tax purposes, and therefore subjects them to a 60 percent tax on all funds they receive. The tax authorities began an audit in 1996 of the French Association of Jehovah's Witnesses. In 1998 the tax authorities formally assessed the 60 percent tax on donations received between September 1992 and August 1996. Tax authorities then began proceedings to collect the assessed tax, including steps to place a lien on the property of the National Consistory of Jehovah's Witnesses. On February 28, 2002, the Versailles Court of Appeals upheld a Nanterre court's 2000 decision against the Jehovah's Witnesses. The Jehovah's Witnesses were appealing the decision to the Court of Cassation (the country's highest appeal body) at the end of the period covered by this report.

Debate continues over whether denying some Muslim girls the right to wear headscarves in public schools constitutes a violation of the right to religious freedom. Various courts and government bodies have considered the question on a case-by-case basis; however, there has been no definitive national decision on this issue.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom; however, there were a number of anti-Semitic incidents during the period covered by this report.

The Conseil des Eglises Chretiennes en France is composed of three Protestant, three Catholic, and three Orthodox Christian representatives. It serves as a forum for dialog among the major Christian churches. There is also an organized interfaith dialog among the Christian, Buddhist, Muslim, and Jewish communities, which discuss and issue statements on various national and international themes. The Ministry of Interior is consulting with Muslim organizations regarding the creation of a Muslim council and is working to schedule a vote on an accord.

The annual National Consultative Commission on Human Rights (NCCHR) report on racism and xenophobia, released in March 2002, noted a decrease in the number of attacks against Jews in 2001, following the sharp increase in incidents in 2000. The NCCHR reported 200 anti-Semitic incidents of violence and threats in 2001, compared with 743 in 2000. However, during the first 6 months of 2002, there was another increase in attacks, ranging from graffiti and harassment to cemetery desecration and fire bombing, mainly as a result of increasing tensions in the Middle East. According to the press, the police reported close to 400 incidents during the 2-week period of March 29 through April 17, 2002. The most serious incidents occurred over the Easter-Passover weekend: On March 30, a synagogue was damaged by fire in a suburb of Strasbourg; on March 31, a synagogue and adjoining library in Marseille were burned to the ground and a second was attacked 2 days later; in March in Toulouse, there was a drive-by shooting of a Kosher butcher shop; on April 7, assailants threw gasoline bombs at a synagogue north of Paris; and in April in Lyon, 15 masked assailants smashed 2 cars into a synagogue and set it on fire. On April 10, a group of youths armed with baseball bats attacked and robbed young Jewish soccer players. It appeared that disaffected youths were responsible for many of the incidents and arrests have been made. Government leaders, members of the Jewish community, the Paris and Marseille Grand Mosques, the Protestant Federation, and the French Conference of Bishops strongly criticized the violence.

The Government increased security for Jewish institutions. More than 13 mobile units, totaling more than 1,200 officers, have been assigned to those locales having the largest Jewish communities. Fixed or mobile police are present in the schools, particularly during the hours when children are entering or leaving school buildings. All of these measures were coordinated closely with leaders of the Jewish communities in the country, notably the Representative Council of Jewish Institutions (CRIF). In April 2002, the Marseille prefecture instituted 24-hour patrols at all of the city's Jewish sites.

In addition, several incidents occurred against members of the large Arab/Muslim community, including incidents of harassment and vandalism.

In April 2001, the press reported that software produced by Panda International was created by a Scientologist. According to representatives of Panda Software, the Interior Ministry and others subsequently indicated they would not renew their contracts with the company. Panda claimed that critical statements by government officials in press articles linking the product to Scientology have caused a significant loss of business.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Representatives from the Embassy have met several times with government officials and members of Parliament. Embassy officers also meet regularly with a variety of private citizens, religious organizations, and nongovernmental organizations involved in the issue. U.S. Members of Congress and Congressional Commissions also have discussed religious freedom issues with senior government officials. In April 2002, the National Trade Estimate on Foreign Trade Barriers cited France on the grounds that "a U.S. software company alleges that French government agencies have refused to renew contracts with the firm because of the management's relationship to Scientology."

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## GEORGIA

The Constitution provides for freedom of religion and the Government generally respects this right in practice; however, local authorities sometimes restricted the rights of members of nontraditional religious minority groups.

The status of religious freedom continued to deteriorate, attacks increased in frequency, and acts of violence occurred with impunity during the period covered by this report. Local police and security officials continued to harass nontraditional religious minority groups, particularly local and foreign missionaries and were complicit, or in some cases actually participated in or facilitated attacks against members of such groups. Police failed to respond to continued attacks by Orthodox extremists, largely followers of Father Basil Mkalavishvili, against members of Jehovah's Witnesses and other nontraditional religious minorities.

Citizens generally do not interfere with traditional religious groups; however, there is widespread suspicion of nontraditional religious groups, and the number of incidents in which Orthodox extremists harassed and attacked such groups, especially members of Jehovah's Witnesses, continued to increase.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Government repeatedly raised its concerns about harassment of and attacks against nontraditional religious minorities with senior government officials.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 25,900 square miles and its population is approximately 4.4 million. Most ethnic Georgians (approximately 70 percent of the population, according to the preliminary results of the 2002 census) nominally associate themselves with the Georgian Orthodox Church. Orthodox churches serving other non-Georgian ethnic groups, such as Russians and Greeks, are subordinate to the Georgian Orthodox Church. Non-Georgian Orthodox Churches generally use the language of their communicants. In addition, there are a small number of mostly ethnic Russian adherents from two dissident Orthodox schools: the Malakani Staroveriy (Old Believers); and Dukhoboriy, the majority of whom have left the country. Under Soviet rule, the number of active churches and priests declined sharply and religious education was nearly nonexistent. Membership in the Georgian Orthodox Church has continued to increase since independence in 1991. The Church maintains 4 theological seminaries, 2 academies, several schools, and 27 church dioceses; and has 700 priests, 250 monks, and 150 nuns. The Church is headed by Catholicos Patriarch, Ilya II; the Patriarchate is located in Tbilisi.

Several religions, including the Armenian Apostolic Church, Roman Catholicism, Judaism, and Islam, traditionally have coexisted with Georgian Orthodoxy. A large number of Armenians live in the southern Javakheti region, in which they constitute a majority of the population. Islam is prevalent among Azerbaijani and north Caucasus ethnic communities in the eastern part of the country and also is found

in the regions of Ajara and Abkhazia. Approximately 5 percent of the population are nominally Muslim. Judaism, which has been present since ancient times, is practiced in a number of communities throughout the country, especially in the largest cities of Tbilisi and Kutaisi.

Approximately 8,000 Jews remain in the country, following 2 large waves of emigration, the first in the early 1970s and the second in the period of perestroika during the late 1980s. Before then, Jewish officials estimate there were as many as 100,000 Jews in the country. There also are small numbers of Lutheran worshipers, mostly among descendants of German communities that first settled in the country several hundred years ago. A small number of Kurdish Yezidis have lived in the country for centuries.

Since the collapse of the Soviet Union, Protestant denominations have become more prominent. They include Baptists (composed of Russian, Georgian, Armenian, Ossetian, and Kurdish groups); Seventh-Day Adventists; Pentecostals (both Georgian and Russian); members of Jehovah's Witnesses (local representatives state that the group has been in the country since 1953 and has approximately 15,000 adherents); the New Apostolic Church; and the Assemblies of God. There also are a few Baha'is and Hare Krishnas. Except for Jehovah's Witnesses, there are no available member numbers on these groups; however, their membership combined is most likely fewer than 1,000 persons.

## SECTION II. STATUS OF FREEDOM OF RELIGION

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, local police and security officials at times harassed nontraditional religious minority groups and their foreign missionaries. The Constitution recognizes the special role of the Georgian Orthodox Church in the country's history, but also stipulates the independence of the Church from the State. A draft constitutional agreement (concordat), which further specifies church-state relations between the Government and the Patriarchate of the Georgian Orthodox Church, has been discussed however, it was not proposed formally to the Parliament at the end of the period covered by this report.

There are no laws regarding the registration of religious organizations; however, the Ministry of Justice has prepared and submitted to Parliament a draft bill that provides for registration of all religious confessions in the country. The bill has not yet been submitted to Parliament.

Religious groups that perform humanitarian services may be registered as charitable organizations, although religious and other organizations may perform humanitarian services without registration. Organizations that are not registered may not rent office space or import literature, among other activities. Individual members of unregistered organizations may engage in these activities as individuals, but in such cases are exposed to personal legal liability.

While the National Security Council's human rights representative, the chairwoman of the Parliamentary Human Rights Committee, and the Government Ombudsman have been effective advocates for religious freedom in a number of instances, the Ministry of Interior (including the police) and Procuracy generally have failed to pursue criminal cases against Orthodox extremists for their continued attacks against religious minorities. The Ministry of Internal Affairs was reorganized to include a deputy minister, who created an office that has duties including investigating religious violence. On the few occasions in which investigations into such attacks have been opened, they have proceeded very slowly.

During the Soviet era, the Georgian Orthodox Church largely was suppressed, as were many other religious institutions; many churches were destroyed or turned into museums, concert halls, and other secular establishments. As a result of new policies regarding religion implemented by the Soviet government in the late 1980's, the present Patriarch began reconsecrating churches formerly closed throughout the country. The Church remains very active in the restoration of these religious facilities and lobbies the Government for the return of properties that were held by the Church before the Bolshevik Revolution. (Church authorities have claimed that 20 to 30 percent of the land at one time belonged to the Church.)

### *Restrictions on Religious Freedom*

The Georgian Orthodox Church enjoys a tax-exempt status not available to other religious groups. In 2001 Parliament amended the Constitution to allow for ultimate adoption of a concordat between the Church and the State, supported by the Church, which would define relations between the two. While a final concordat draft had not been completed by the end of the period covered by this report, earlier

versions covered several controversial topics, including transfer to the Church of ownership of church treasures expropriated during the Soviet period and held in state museums and repositories; government compensation to the Church for moral and material damage inflicted by the Soviets; and government assistance in establishing after-school Orthodox religious courses in educational institutions and Orthodox chaplaincies in the military and in prisons. The Catholic, Lutheran, Baptist, and Armenian Apostolic churches, as well as representatives of the Jewish and Muslim faiths, signed formal documents with the Orthodox Patriarchate agreeing to the concordat, even before the introduction of associated constitutional amendments on March 20, 2002. Representatives of nontraditional religious minority groups, such as the Jehovah's Witnesses and Pentecostals, were not included in this process. The prospect of such a concordat has raised concerns among nongovernmental organizations (NGO's) that believe that it would discriminate against religious minorities. The Georgian Orthodox Church had lobbied Parliament and the Government for laws that would grant it special status and restrict the activities of missionaries from nontraditional religions. However, parliamentary leaders have indicated that prior to adoption, the final concordat draft is expected to be sent to the Council of Europe, European Parliament, and European Union for informal expert analysis, to ensure that it accords with European norms and the Government's international legal obligations.

While most citizens practice their religion without restriction, the worship of some citizens, particularly members of nontraditional faiths, has been restricted by intimidation and the use of force by rightwing nationalists whom the Government has failed to control. Some nationalist politicians continue to use the issue of the continued supremacy of the Georgian Orthodox Church in their platforms, and criticized some Protestant groups, especially evangelical groups, as subversive. Jehovah's Witnesses in particular are the target of attacks from such politicians, most prominently Member of Parliament Guram Sharadze.

In addition, a February 2001 Supreme Court ruling upheld a 2000 appeals court decision revoking the registration of Jehovah's Witnesses on the grounds that the law does not allow for registration of religious organizations. The effect of the Court decision has restricted the group's ability to rent premises for services and importing literature. The revocation of the registration of Jehovah's Witnesses resulted from a 1999 court case brought by Sharadze seeking to ban the group on the grounds that it presented a threat to the State and the Georgian Orthodox Church.

The Supreme Court emphasized that its ruling was based on technical legal grounds and was not to have the effect of banning the group; however, many local law enforcement officials interpreted the ruling as a ban, and thus used it as a justification not to protect members of Jehovah's Witnesses from attacks by religious extremists. The court decision did not have the effect of revoking the registration of other religious organizations, since the case was brought against Jehovah's Witnesses only.

The Roman Catholic and Armenian Apostolic Churches have been unable to secure the return of their churches and other facilities closed during the Soviet period, many of which later were given to the Georgian Orthodox Church by the State. A prominent Armenian Church in Tbilisi remained closed, and the Roman Catholic and Armenian Apostolic Churches, as with Protestant denominations, have had difficulty obtaining permission to construct new churches due to pressure from the Georgian Orthodox Church. On April 5, 2002, the Catholic Union of Western Georgia filed suit in a Tbilisi court against the Patriarchate for return of the Annunciation cathedral in Kutaisi, in the west.

In 2001 the Ministry of Interior (including the police) and Procuracy generally failed to pursue criminal cases against Orthodox extremists for their attacks against religious minorities. On the few occasions in which there were investigations into such attacks, they have proceeded very slowly.

The Jewish community also experienced delays in the return of property confiscated during Soviet rule. In 1997 the courts ordered that a former synagogue, which had been rented from the Government by a theater group, be returned to the Jewish community. The theater group refused to comply and began a publicity campaign with anti-Semitic overtones to justify its continued occupation of the building. In 1998 President Shevardnadze promised Jewish leaders that the synagogue would be returned before the 2,600-year celebration of Jewish settlement in the country. However, the President's order was not enforced, and the theater group brought suit, claiming that the building never was a synagogue. The court referred the issue to a panel of experts for evaluation. In 2000 the panel informed the court that it had come to a split decision on whether the building had been a synagogue. In April 2001, the Supreme Court ruled that the central hall of the synagogue should be returned to the Jewish community, but that the theater groups should retain part of

the building. However, by the end of the period covered by this report, the theater group had not vacated the central hall.

In April 2001, Jehovah's Witnesses representative Arno Tungler was denied an entry visa at Tbilisi Airport, despite having an official accreditation from the Ministry of Justice. Tungler later received a visa and was allowed entry into the country.

According to some local human rights groups, as a result of pressure from the Georgian Orthodox Church, the Ministry of Education prevented the use of several school textbooks on the history of religion because they did not give absolute precedence to Orthodox Christianity. The textbooks eventually were published and introduced into the school system after the incorporation of changes requested by the Church. However, under the November law, the Church was given a consultative role in curriculum development but has no veto power. On a number of occasions, members of Jehovah's Witnesses encountered difficulty importing religious literature into the country. Shipments were delayed by the Customs Department for lengthy periods of time.

#### *Abuses of Religious Freedom*

Local police and security officials continued to harass at times nontraditional religious minority groups, especially members of Jehovah's Witnesses. The police only sporadically intervened to protect such minorities from attacks by Orthodox extremists. In some cases police, actually participated in or facilitated the attacks. The Catholic Church faced difficulties in attempting to build churches in the towns of Kutaisi and Akhaltsikhe.

Since October 1999, followers of excommunicated Orthodox priest Basili Mkalavishvili (Basilists) have engaged in more than 80 violent attacks on nontraditional religious minorities, including Baptists, Seventh-Day Adventists, and especially members of Jehovah's Witnesses. Throughout the period covered by this report, the Basilists, as well as members of an Orthodox extremist group called "Jvari" (Cross), continued their series of attacks, at times together. The attacks involved burning religious literature, including the Bible; breaking up religious gatherings; and beating up parishioners, in some cases with nail-studded sticks and clubs. The attacks have been

publicized widely, in part by the Basilists themselves who videotape the incidents. Most acts of religious violence have gone unpunished, despite the filing of more than 700 criminal complaints. Due to a pending criminal case, Mkalavishvili has not participated in several attacks; however, he did participate in the May 7, 2002, attack against Stereo 1, 1 month after a court denied a prosecution request for preliminary detention of Mkalavishvili. Evidence strongly suggests that Mkalavishvili has directed numerous attacks.

Although law enforcement authorities were present during some of the attacks, in most instances, they failed to intervene, leading to a widespread belief in police complicity in the activities of the Basilists and an atmosphere of impunity surrounding the religious attacks.

During the period covered by this report, Basilists continued to harass several families of Jehovah's Witnesses, demanding that they stop holding meetings in their homes. Because of the continuing violence, the Jehovah's Witnesses have refrained from public meetings in favor of gatherings in private homes.

On September 16, 2001, the police and followers of Mkalavishvili prevented members of Jehovah's Witnesses from holding a convention in Marneuli by stopping buses, physically attacking followers, and burning and looting the convention site. Members of Jehovah's Witnesses alleged that police actively participated in these activities, and at least one eyewitness confirmed that police did not impede the Basilists. On September 19, the head of the Marneuli district administration was dismissed for undisclosed reasons following the incident. An investigation was ongoing at the end of the period covered by this report.

On September 23, 2001, Basilists attacked a choir practice of a Pentecostal church group in the Tbilisi suburb of Gldani. The attackers, led by Mkalavishvili, beat the attendants with wooden clubs and crosses, dragged parishioners by their hair, and threw women and children to the ground. They also damaged the pastor's car. The local police arrived only after the Basilists had left the scene. Police limited their action to taking a report of the incident.

On September 28, 2001, Mkalavishvili and between 70 and 100 supporters, armed with stones, clubs, and bicycle spokes, blocked the highway at Tbilisi's Ponichala road junction. They established their own checkpoint within 300 meters of a traffic police checkpoint, at which from 8 to 10 traffic and regular police were observed to be present. Mkalavishvili's group filtered traffic, seeking cars and buses taking members of Jehovah's Witnesses to a planned convention in the southern town of

Marneuli. They attacked and beat any Jehovah's Witnesses they found, causing numerous injuries and also damaging the vehicles in which the victims were traveling. The nearby police refused to intervene. A Jehovah's Witnesses organization reported that its representatives made urgent telephone calls to many officials of various levels of responsibility in the police, Ministry of Internal Affairs, and the General Procuracy, yet no intervention followed.

On September 30, 2001, approximately 14 men from the Jvari organization raided a Jehovah's Witnesses prayer meeting in Rustavi, and allegedly beat members of the congregation and seized religious literature.

On December 23, 2001, Mkalavishvili and approximately 50 supporters in Tbilisi broke up the church service of the Word of Life Church that was being held in a cinema. As the morning service was ending, the Basilists entered the cinema ringing bells. The attackers severely beat two church members; broke the sound system; stole church money, a music synthesizer and personal handbags; and seized and tore up religious books, including copies of the Bible. Mkalavishvili reportedly used a mobile telephone to direct the attack from outside the cinema to avoid legal consequences related to his ongoing trial.

On January 25, 2002, a mob of Basilists surrounded the building housing television channel Stereo One. The Basilists had been threatening Tbilisi-based Stereo One since early 2001 for broadcasting the American Evangelical program "The Victorious Voice of the Believer" dubbed into Russian. Two Basilists who broke into the building were arrested by the police. However, a crowd of 100 Basilists who quickly gathered outside the police station demanded their release. The police complied with their demand. Stereo One resumed broadcasting the religious program after briefly ceasing transmission in February despite continued threats by Mkalavishvili. On May 7, 2002, Mkalavishvili and four followers again tried to break into the offices of Stereo One, physically assaulting one staff member. The police responded promptly after being alerted by a local human rights NGO.

On February 3, 2002, Mkalavishvili gathered a mob of 150 followers and seized a warehouse owned by the Baptist Union. During the raid, the Basilists burned thousands of copies of the Bible and other religious literature. As during other attacks, Mkalavishvili held an impromptu press conference with the violence in the background.

On April 7, 2002, a group of 25 Basilists armed with truncheons stormed a meeting of members of Jehovah's Witnesses in the village of Ponichala outside Tbilisi. The attackers assaulted participants, damaged the house, and stole religious literature as well as personal property.

On September 3, 2001, Mkalavishvili and Petre Ivanidze were charged with unlawful entry, assault, persecution of an individual on account of his beliefs, constraint of freedom, and unlawful violation of carrying out religious customs. However, they were not detained. Their trial on these charges began on January 25, 2002, but was postponed repeatedly, principally due to the lack of courtroom security for victims and witnesses or absences of prosecutors. The Didube-Chugureti city court consistently refused to provide adequate police guards for security while permitting hundreds of Basilists, armed with wooden and iron crosses—which have been used previously to attack religious minorities—effectively to commandeer the courtroom and intimidate arriving attorneys and witnesses. On April 1, 2002, the presiding judge issued a final sentence refusing the prosecution's request for preliminary detention of Mkalavishvili as part of the ongoing trial. On March 9, 2002, Human Rights Watch addressed an open letter to President Shevardnadze urging law enforcement authorities to promptly and fairly conclude the court case against Mkalavishvili by taking Mkalavishvili into pretrial detention and ensuring the physical safety of trial participants.

The court's failure to provide adequate courtroom security stood in stark contrast to the overwhelming police protection provided during a related court case against Mkalavishvili for a March 2002 assault on three police officers near his Gldani-based church. The Ministry of Interior provided more than 200 security police and special weapons and tactics team members for that hearing during which Mkalavishvili was acquitted in March 2002.

On May 13, 2002, the Marneuli district court acquitted police officers of wrongdoing during an attack by Basilists on a September 2000 Congress of Jehovah's Witnesses in Marneuli. Mkalavishvili and his followers had destroyed the premises for a Jehovah's Witnesses conference in Marneuli and physically assaulted and robbed several dozen members of Jehovah's Witnesses while police looked on. Police also had prevented a number of buses carrying Jehovah's Witnesses from reaching the conference. Similar events occurred during the September 28, 2001, Congress of the Jehovah's Witnesses, when Basilists again attacked the congregation while local police forces ignored the assault. On September 19, the head of the Marneuli district

administration was dismissed for undisclosed reasons following the incident. An investigation was ongoing at the end of the period covered by this report.

On January 22, 2001, Mkalavishvili broke up a press conference in which members of Jehovah's Witnesses were presenting a petition with 130,000 signatures demanding government action against religious violence. Basilists seized and fled with most of the volumes of signatures. In April and May 2001, following the opening of a criminal case against Mkalavishvili, Basilists continued their attacks against members of Jehovah's Witnesses, which included several cases in which peaceful religious gatherings in Tbilisi, Rustavi, and other locales were broken up and members of Jehovah's Witnesses were beaten with sticks and clubs. Mkalavishvili publicly encouraged these attacks, although he did not participate due to fear of potential legal consequences.

On March 14, 2001, Basilists, with the assistance of traffic police, stopped a truck in Mtskheta carrying books imported by the United Bible Society and attempted to seize and burn them.

In May 2001, an appeals court overturned charges of hooliganism against a member of Jehovah's Witnesses and returned the case to the lower court for further investigation. This case began in October 1999, when Basilists violently attacked a worship service of 120 parishioners in the Gldani district of Tbilisi. The Gldani police refused to intervene, and 16 persons were injured in the attack. In December 1999, the case was forwarded to the Gldani prosecutor's office for criminal charges. Despite the advocacy by the National Security Advisor for Human Rights on Jehovah's Witnesses' behalf, in January 2000, the Gldani regional prosecutor's office returned the case to the city prosecutor's office, stating that no violation had occurred. The case has been reopened and closed on several occasions since then. While it is ongoing, the investigation is proceeding very slowly. In June 2000, the investigators charged two of the defendants with hooliganism stemming from the incident. They were convicted in court in September 2000, and received suspended sentences. One of the two appealed his conviction. International organizations such as the U.N. Human Rights Committee and the Council of Europe have admonished the Government's poor record in adequately redressing the deterioration of religious freedom.

On May 17, 2002, the Council of Europe Commission against Racism and Intolerance released a report that strongly criticized the authorities' disregard of religious and racial violence and harassment in the country. The report placed particular emphasis on the harassment of religious minorities. In response to the report, President Shevardnadze announced a special

Government session on human rights, which has since been postponed. On May 17, 2002, President Shevardnadze issued a decree announcing government measures to improve the human rights situation including the protection of the rights of religious minorities but without concrete results.

On May 20, 2002, several dozen followers of Mkalavishvili held protest demonstrations in front of the American Embassy and at the Office of the Public Defender. The protesters criticized a letter sent to President Shevardnadze by 15 U.S. Senators and Members of Congress, who are members of the U.S. Helsinki Commission, urging the Government to enforce the law and protect citizens against criminal attacks from religious extremists.

The Assemblies of God, several of whose members were beaten and abused verbally by police officials while conducting outdoor services in Tbilisi in May 1999, appealed to the European Court in Strasbourg, Germany. The police officials who interrupted the service sought to obtain the names of the church members. Members of the Assemblies of God assert that they remain under local police surveillance. A number of members of the congregation were hesitant to return to their apartments and cars for a few days after the police actions. In September 1999, the group brought suit against the police and lost. The group alleged that the leader of a radical Orthodox group exerted pressure on the court. The suit later was appealed to the Supreme Court, which dismissed it in 2000. The group then appealed to the European Court, where the case remained pending at the end of the period covered by this report.

Regular and reliable information regarding the separatist controlled "Republic of Abkhazia," which is not recognized by any country and over which the Government of Georgia does not exercise control, is difficult to obtain. A 1995 decree by the Abkhaz "President," Vladislav Ardzinba, that banned Jehovah's Witnesses in Abkhazia remains in effect. A number of members of Jehovah's Witnesses have been detained in the last few years; however, according to a representative of Jehovah's Witnesses, none were in detention at the end of the period covered by this report.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There are no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The public's attitude towards religion is ambivalent. Although many residents are not particularly observant religiously, the link between Georgian Orthodoxy and Georgian ethnic and national identity is strong.

Despite their general tolerance toward minority religious groups traditional to the country—including Catholics, Armenian Apostolic Christians, Jews, and Muslims—many citizens remain apprehensive about Protestants and other nontraditional religions, which they view as taking advantage of the populace's economic hardship by gaining membership through handing out economic assistance to converts. Some members of the Georgian Orthodox Church and the public view non-Orthodox religious groups, especially nontraditional groups or so-called "sects" as a threat to the national Church and Georgian cultural values and have argued that foreign Christian missionaries should confine their activities to non-Christian areas.

The Patriarchy of the Georgian Orthodox Church has criticized strongly the attacks perpetrated by Orthodox extremists against nontraditional religious minorities and has distanced itself from the excommunicated priest Basil Mkalavishvili. However, on February 10, 2002, a senior bishop based in the city of Rustavi stated on a leading television news program that all 'sectarians' (including nontraditional religious minorities such as the Jehovah's Witnesses) in the country should be killed. The bishop also voiced his support for Mkalavishvili. The Patriarchy later released a press statement in response saying that the bishop's comments were quoted out of context. Some observers believe that problems such as the bishop's statement and the actions of some priests, such as the leaders of mobs in 2001 in Sachkere and Martvili, may be due to the fact that many priests were ordained 10 years ago without the appropriate educational background and training in an attempt to meet the requirements of growing congregations with the fall of Communism.

The Georgian Orthodox Church withdrew its membership from the World Council of Churches in 1997 in order to appease clerics strongly opposed to ecumenism. Church officials and nationalists criticized some Protestant groups—especially evangelical groups—as being subversive. In a signed document, eleven leaders of the Georgian Orthodox Church have argued that Christian missionaries should confine their activities to non-Christian areas.

Religious leaders of different faiths have spoken out against such criticism. Some NGO's advocate removing the clause in the Constitution concerning the Church's special role, claiming that it contradicts the Constitution's provisions regarding religious freedom.

The Muslim and Jewish communities report that they have encountered few societal problems. There is no historical pattern of anti-Semitism.

Nationalistic politicians manipulated reports of the activities of Jehovah's Witnesses in order to create public hostility. In April 2000, one politician inaccurately publicized the case of a hospitalized member of Jehovah's Witnesses who refused a blood transfusion and certain forms of medical treatment. The event was covered widely in the press and sparked a brief public debate over religious beliefs and medical ethics.

Many of the problems among traditional religious groups stem from disputes over property. The Roman Catholic and Armenian Apostolic Churches have been unable to secure the return of their churches and other facilities that were closed during the Soviet period, many of which later were given to the Georgian Orthodox Church by the State. A prominent Armenian church in Tbilisi remains closed and the Roman Catholic and Armenian Apostolic Churches, with Protestant denominations, have had difficulty obtaining permission to construct new churches, reportedly in part as a result of pressure from the Georgian Orthodox Church. Georgian Orthodox Church authorities have accused Armenian believers of purposely altering some existing Georgian churches so that they would be mistaken for Armenian churches. The Catholic Church successfully completed the construction of a new church in Batumi in June 2000.

In June 2002, Mkalavishvili and several dozen of his followers held a noisy but peaceful rally in Tbilisi to protest a new draft law on religion prepared by the Ministry of Justice, stating that the law would effectively legalize "criminal sects."

On March 6, 2001, four Orthodox priests led a mob in an attack on members of Jehovah's Witnesses in Sachkere. The mayor and local police chief refused to intervene, and local law enforcement officials warned that there would be further at-

tacks. There was no investigation or arrests made by the end of the period covered by this report.

On March 24, 2001, eight visiting foreign Assembly of God members were attacked by a mob of Basilists, who stole their camera equipment and inflicted minor injuries upon them. Police reportedly were present and observed the attack but made no effort to intervene. In June 2001, a mob that included 30 Orthodox priests attacked Jehovah's Witnesses during a meeting in the western city of Martvili. The mob assaulted two women, beating one with a stick and striking the other in the face while the priests looked on. There was no investigation or arrests made by the end of the period covered by this report.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. On several occasions during the period covered by this report, senior U.S. Government officials, including the Ambassador, raised U.S. Government concerns regarding harassment of and attacks against nontraditional religious minorities with senior government officials, including the President, Parliament Speaker, and Internal Affairs and Justice Ministers. In April 2002, Senator Gordon Smith, a member of the U.S. Commission on Security and Cooperation in Europe, strongly criticized unpunished religious violence in the country and called upon the Government to prosecute vigorously extremists who have attacked nontraditional religious minorities. A May 17, 2002, letter written by the Commission and signed by 15 Senators called on President Shevardnadze to end violence against groups of religious minorities in the country. Acknowledging the letter, President Shevardnadze again strongly criticized abuses and urged Parliament to adopt quickly a law on religion drafted by the Ministry of Justice. Embassy officials frequently met with representatives of the Government, Parliament, of various religious confessions, as well as with NGO's concerned with religious freedom issues.

In April 2002, a visiting representative from the Department of State's Office of International Religious Freedom met with members of the Government, various religious confessions and NGO's concerned with religious freedom issues, and underscored the need for the Government to end religious violence.

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## GERMANY

The Basic Law (Constitution) provides for religious freedom and the Government generally respects this right in practice; however, there is some discrimination against minority religions.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. The Government does not recognize Scientology as a religion and views it as an economic enterprise, and Scientologists continued to report discrimination based on their beliefs. Federal and state classification of Scientology as a potential threat to democratic order has led to occasional attempts to exclude individuals practicing Scientology from government employment and from some sectors of business.

The generally amicable relationship among religions in society contributed to religious freedom. However, following a rise in the incidence of anti-Semitic crimes and an increase in public criticism of the Israeli Government's actions in the Middle East, Jewish community leaders expressed disappointment in some of the country's political leaders for not speaking out more forcefully against anti-Semitism.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 137,821 square miles, and its population is approximately 82 million. There are no official statistics on religions; however, unofficial estimates and figures provided by the organizations themselves give an approximate breakdown of the membership of the country's denominations. The Evangelical Church, which includes the Lutheran, Uniate, and Reformed Protestant Churches, has 27 million members, who constitute 33 percent of the population. Statistical offices in the Evangelical Church estimate that 1.1 million church members (or 4 percent) attend weekly religious services. The Catholic Church has a membership of 27.2 million, or 33.4 percent of the population. According to the Church's statistics,

4.8 million Catholics (or 17.5 percent) actively participate in weekly services. According to government estimates, there are approximately 2.8 to 3.2 million Muslims living in the country (approximately 3.4 percent to 3.9 percent of the population.) Statistics on mosque attendance were not available.

Orthodox churches have approximately 1.1 million members, or 1.3 percent of the population. The Greek Orthodox Church is the largest, with approximately 450,000 members; the Romanian Orthodox Church has 300,000 members; and the Serbian Orthodox Church has 200,000 members. The Russian Orthodox Church, Moscow Patriarchate has 50,000 members, while the Russian Orthodox Church Abroad has approximately 28,000 members. The Syrian Orthodox Church has 37,000 members, and the Armenian Apostolic Orthodox Church has an estimated 35,000 members.

Other Christian churches have approximately 1 million members, or 1.2 percent of the population. These include Adventists with 35,000 members, the Apostolate of Jesus Christ with 18,000 members, the Apostolate of Judah with 2,800 members, the Apostolic Community with 8,000 members, Baptists with 87,000 members, the Christian Congregation with 12,000 members, the Church of Jesus Christ of Latter-Day Saints (Mormons) with 39,000, the Evangelical Brotherhood with 7,200 members, Jehovah's Witnesses with 165,000 members, Mennonites with 6,500 members, Methodists with 66,000 members, the New Apostolic Church with 430,000 members, Old Catholics with 25,000 members, the Salvation Army with 2,000 members, Seventh-Day Adventists with 53,000 members, the Union of Free Evangelical churches with 30,500 members, the Union of Free Pentecostal Communities with 16,000 members, the Temple Society with 250 members, and the Quakers with 335 members.

Jewish congregations have approximately 87,500 members and make up 0.1 percent of the population. According to press reports, the country's Jewish population is growing rapidly, and more than 100,000 Jews from the former Soviet Union have come to the country since 1990. The vast majority of newly arrived Jews come from countries of the former Soviet Union. Not all new arrivals join congregations, hence the discrepancy between population numbers and the number of congregation members.

The Unification Church has approximately 850 members; the Church of Scientology has 8,000 members; the Hare Krishna society has 5,000 members; the Johannish Church has 3,500 members; the International Grail Movement has 2,300 members; Ananda Marga has 3,000 members; and Sri Chinmoy has 300 members.

Approximately 21.8 million persons, or 26.6 percent of the population, either have no religious affiliation or belong to unrecorded religious organizations.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Basic Law (Constitution) provides for freedom of religion, and the Government generally respects this right in practice.

Church and State are separate, although historically a special partnership exists between the State and those religious communities that have the status of a "corporation under public law." If they fulfill certain requirements, including assurance of permanence, size of the organization, and no indication that the organization is not loyal to the State, organizations may request that they be granted "public law corporation" status, which, among other things, entitles them to levy taxes on their members that the State collects for them. Organizations pay a fee to the Government for this service, and all public law corporations do not avail themselves of this privilege. The decision to grant public law corporation status is made at the state level. In 2000 the Federal Constitutional Court passed a groundbreaking ruling in which it found the condition of "loyalty to the state" to be a violation of the constitutionally mandated separation of church and state. Therefore, this condition is inadmissible in the catalog of conditions imposed on religious organizations. Many religions and denominations have been granted public law corporation status. Among them are the Lutheran and Catholic Churches and Judaism, as well as the Mormons, Seventh-Day Adventists, Mennonites, Baptists, Methodists, Christian Scientists, and the Salvation Army.

The right of Muslims to slaughter animals ritually without the stunning required by the animal protection law was the subject of a court case that concluded in January 2002. In November 2000, the Federal Administrative Court ruled that the Islamic Community of Hessen was not a "religious community" as defined in the animal protection law, which allows religious communities to apply for waivers of animal slaughtering regulations. As a result, Muslims could not apply for a waiver; however, the Jewish Community was granted a waiver shortly after the animal protection law first went into effect in order to slaughter animals by kosher procedures.

The Muslim Community appealed the ruling, and in January 2002, the Federal Constitutional Court ruled that Muslim butchers could apply for waivers.

State subsidies also are provided to some religious organizations for historical and cultural reasons. Some Jewish synagogues have been built with state financial assistance because of the State's role in the destruction of synagogues in 1938 and throughout the Nazi period. Repairs to and restoration of some Christian churches and monasteries are undertaken with state financial support because of the expropriation by the State of church lands in 1803 during the Napoleonic period. Having taken from the churches the means by which they earned money to repair their buildings, the State recognized an obligation to cover the cost of those repairs. Subsidies are paid out only to those buildings affected by the 1803 Napoleonic reforms. Newer buildings do not receive subsidies for upkeep. State governments also subsidize various institutions affiliated with public law corporations, such as church-run schools and hospitals.

Religious organizations do not need to register. Most religious organizations are registered and treated as nonprofit associations and therefore enjoy tax-exempt status. State level authorities review these submissions and routinely grant this status. Organizations must register at a local or municipal court and provide evidence (through their own statutes) that they are a religion and thus contribute socially, spiritually, or materially to society. Local tax offices occasionally conduct reviews of tax-exempt status.

In principle the Central Council of Jews represents the majority of Jewish congregations in the country. However, since the founding of the first liberal congregations in the country in 1997, there were 11 liberal/reform congregations that are represented by the Union of Progressive Jews in Germany, Austria, and Switzerland (UPJGAS), which is not represented on the Central Council, at the end of the period covered by this report. The UPJGAS was seeking to establish a dialog with the Central Council and the Government in order to secure access to federal and state funds allocated for the purpose of development, support, and stability of all German Jewish congregations. Such funds are managed through contracts between the 16 states and the state-level Jewish umbrella organizations, which constitute the Central Council.

Most public schools offer religious instruction in cooperation with the Protestant and Catholic churches and offer instruction in Judaism if enough students express interest. A nonreligious ethics course or study hall generally is available for students not wishing to participate in religious instruction. The issue of Islamic education in public schools is becoming topical in several states. In 2000 the Federal Administrative Court upheld previous court rulings that the Islamic Federation qualified as a religious community and as a result must be given the opportunity to provide religious instruction in Berlin schools. The decision drew criticism from the many Islamic organizations that were not represented by the Islamic Federation, and the Berlin State Government expressed its concerns about the Islamic Federation's alleged links to Milli Gorus, a Turkish group classified as extremist by the Federal Office for the Protection of the Constitution (OPC). However, after another court decision in favor of the Islamic Federation in August 2001, Berlin school authorities decided to allow the Islamic Federation to begin teaching Islamic religious classes in several Berlin schools starting in September 2001. In 2000 Bavaria announced that it would offer German-language Islamic education in its public schools starting in 2003.

The right to provide religious chaplaincies in the military, in hospitals, and in prisons is not dependent on the public law corporation status of a religious community. The Ministry of Defense was looking into the possibility of Islamic clergymen providing religious services in the military, although none of the many Islamic communities has the status of a corporation under public law.

#### *Restrictions on Religious Freedom*

In 1997 the Federal Administrative Court in Berlin upheld a Berlin State Government's decision to deny Jehovah's Witnesses public law corporation status. The Court concluded that the group did not offer the "indispensable loyalty" towards the democratic state "essential for lasting cooperation" because it forbade its members from participating in public elections. The group does enjoy the basic tax-exempt status afforded to most religious organizations. In 2000 members of Jehovah's Witnesses appealed, and the Constitutional Court found in their favor, remanding the case back to the Federal Administrative Court in Berlin. For the first time, the Constitutional Court had examined the conditions for granting the status of a public law corporation and found that for reasons of the separation of church and state, "loyalty to the state" cannot be a condition imposed on religious communities. The Constitutional Court tempered the victory for Jehovah's Witnesses by instructing the

Berlin Administrative Court to examine whether Jehovah's Witnesses use coercive methods to prevent their members from leaving the congregation and whether their child-rearing practices conform to the country's human rights standards. In May 2001, the Federal Administrative Court referred the case back down to the Higher Administrative Court in Berlin to address the open questions.

Several states have published pamphlets detailing the ideology and practices of non mainstream religions. States defend the practice by noting their responsibility to respond to citizens' requests for information about these groups. While many of the pamphlets are factual and relatively unbiased, others may harm the reputations of some groups through innuendo and inclusion in a report covering known dangerous cults or movements. Scientology is the focus of many such pamphlets, some of which warn of alleged dangers posed by Scientology to the political order and free market economic system, and to the mental and financial well-being of individuals. For example, the Hamburg OPC published "The Intelligence Service of the Scientology Organization," which outlines its claim that Scientology tried to infiltrate governments, offices, and companies, and that the church spies on its opponents, defames them, and "destroys" them. In 1998 the Federal OPC concluded that although there was no imminent danger of infiltration by Scientology into high levels of the political or economic power structures, there were indications of tendencies within Scientology, supported by its ideology and programmatic goals, which could be seen as directed against the country's free and democratic order and that the public should be informed of these dangers.

The Church of Scientology, which operates 18 churches and missions, remained under scrutiny by both federal and state officials, who contend that its ideology is opposed to democracy. Since 1997 Scientology has been under observation by the Federal and State OPC's. In observing an organization, OPC officials seek to collect information, mostly from written materials and firsthand accounts, to assess whether a "threat" exists. More intrusive methods would be subject to legal checks and would require evidence of involvement in treasonous or terrorist activity. Federal OPC authorities stated that no requests had been made to employ more intrusive methods, nor were any such requests envisioned. One state, Schleswig-Holstein, does not implement observation; state officials have concluded that Scientology does not have an actively aggressive attitude towards the Constitution—the condition required by the state's law to permit the OPC observation.

In December 2001, the Berlin Regional Administrative Court held that the Berlin OPC could not employ undercover agents to continue the observation of Scientology's activities in the state of Berlin. The Court concluded that after 4 years of observation, the Berlin OPC had failed to uncover information that would justify the continued use of intrusive methods. However, the observation of Scientology activities through other means (e.g., open sources or electronic surveillance) was not affected by the ruling, which applies only to the city-state of Berlin. Observation is not an investigation into criminal wrongdoing, and, no criminal charges had been brought against the Church of Scientology by the Government at the end of the period covered by this report.

The Federal OPC's annual reports for 2000 and 2001 concluded that the original reasons for initiating observation of Scientology in 1997 still were valid. As in earlier reports, the OPC based its analysis and conclusions on the writings of Scientology founder L. Ron Hubbard and on Scientology books and pamphlets. The reports noted first that the ideas contained in Hubbard's writings are for Scientology practitioners "binding and unalterable." The reports claim that Scientology poses a threat to democratic constitutional order because it advocates replacement of parliamentary democracies by an undemocratic system of government based on principles of Scientology; it advocates a diminution of basic rights of the person for persons not judged "worthy" by Scientology's criteria; it employs an intelligence service that is not supposed to be constrained by existing laws; and it has the long-term goal of replacing the existing political system through the expansion of Scientology.

Government authorities contend that Scientology is not a religion but an economic enterprise and therefore sometimes have sought to deregister Scientology organizations previously registered as nonprofit associations and require them to register as commercial enterprises. With the exception of Dianetik e.V., a Scientology-related organization in Baden-Wuerttemberg, no Scientology organization has tax-exempt status. Authorities in the state government have attempted to have the tax-exempt status of Dianetik e.V. revoked; however, in January 2002, the State Administrative Court ruled that the organization may retain its tax-exempt status. State officials may appeal the verdict.

Until March 2001, the Government required firms to sign a declaration (a "sect filter") in bidding on government contracts stating that neither the firm's management nor employees were Scientologists. The term "sect filter" is misleading because

the declarations are Scientology-specific and in practice do not refer to any other group; they more accurately could be described as "Scientology filters." Firms that failed to submit a sect filter declaration were presumed "unreliable" and excluded from consideration. In response to concerns expressed by foreign governments and multinational firms unable to determine the religious affiliation of all their employees, the Economics Ministry limited the scope of the sect filter to consulting and training contracts in 2000. In March 2001, the Economics Ministry persuaded the federal and state interior ministries to accept new wording that would only prohibit use of the "technology of L. Ron Hubbard" in executing government contracts. Firms owned or managed by or employing Scientologists could bid on these contracts.

Scientologists continued to report discrimination because of their beliefs. A number of state and local offices share information on individuals known to be Scientologists. In addition, to "sect filters" that some local and state government offices and businesses (including major international corporations) and other organizations require job applicants and bidders on contracts to sign, some state governments also screen companies bidding on contracts relating to training and the handling and processing of personal data. The private sector on occasion has required foreign firms that wish to do business in the country to declare any affiliation that they or their employees may have with Scientology. Private sector firms that screen for Scientology affiliations frequently cited OPC observation of Scientology as a justification for discrimination. The Federal Property Office has barred the sale of some real estate to Scientologists, noting that the federal Finance Ministry has urged that such sales be avoided, if possible.

Scientologists reported employment difficulties, and, in the state of Bavaria, applicants for state civil service positions must complete questionnaires detailing any relationship they may have with Scientology. Bavaria identified some state employees as Scientologists and has required them to complete the questionnaire. The questionnaire specifically states that the failure to complete the form will result in the employment application not being considered. Some of these employees have refused, and two filed suit in the local administrative court. In November 2002, both cases were decided in favor of the employees. Others refused to complete the questionnaire and chose to wait for rulings in the two cases. The Bavarian Interior Ministry commented that these were individual decisions, but withdrew the questionnaire for persons already employed with the State of Bavaria or the City of Munich; however, the questionnaire still was in use for persons seeking new state or municipal government employment. In one case, a person was not given civil service but only employee status (a distinction that involves important differences in levels of benefits); in another case, a person quit Scientology in order not to jeopardize his career. According to Bavarian and federal officials, no one in Bavaria lost a job or was denied employment solely because of association with Scientology; Scientology officials confirmed this fact.

In a well-publicized court case in 1999, a higher social court in Rheinland-Pfalz ruled that a Scientologist was allowed to run her *au pair* agency, for which the state labor ministry had refused to renew her license in 1994, solely based on her Scientology membership. The judge ruled that the question of a person's reliability hinges on the person herself and not on her membership in the Church of Scientology. However, the State Labor Office appealed the decision, and the National Social Court in Kassel overturned it. In September 2001, responding to an appeal by the Scientologist, the State Social Court upheld the Kassel court's finding, ruled out further appeals, and barred the woman from running the *au pair* agency.

In 2002 the Baden-Wuerttemberg Administrative Court ruled that members of the Scientology Organization are not permitted to sell books and brochures in pedestrian zones in the cities of Stuttgart and Freiburg. The court noted that such activity required a permit for which the Scientology Organization never applied. The Scientology Organization argued that this restriction violated the basic right of religious freedom, but this argument was rejected by the court.

The inter ministerial group of midlevel federal and state officials that exchanges information on Scientology-related issues continued its periodic meetings. The group published no report or policy compendium during the period covered by this report and remained purely consultative in purpose.

In June 2001, the Baden-Wuerttemberg State Administrative Court upheld a 1998 ban on Muslim teachers wearing headscarves in the classroom. An appeal was pending at the end of the period covered by this report. The Administrative Court in Lueneburg, Lower Saxony, found that school authorities have to admit the teacher into probationary civil service status, and that wearing a headscarf does not constitute cause for denial of employment. An administrative court in Hamburg had come to a similar finding in 1999. The woman appealed the ruling, and in June

2001, the State Administrative Court dismissed her appeal. It is not clear yet whether she plans to appeal the verdict at the federal level.

In March 2002, the DeMoss Foundation used celebrities to advertise an Evangelical Christian textbook, "Power for Living," which generated approximately 50,000 requests for the free publication. The Government banned the organization's television and radio broadcasts, as well as billboards, based upon its prohibition of broadcast advertising for religious, political, or ideological causes.

Difficulties sometimes arise between churches and state over tax matters and zoning approval for building places of worship.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The country increasingly is becoming secular. Regular attendance at religious services is decreasing. After more than 4 decades of Communist rule, the eastern part of the country had become far more secular than the western part. Church representatives note that only 5 to 10 percent of eastern inhabitants belong to a religious organization.

Relations between the various religious communities are generally amicable. However, following a rise in the incidence of anti-Semitic crimes and an increase in public criticism of the Israeli Government's actions in the Middle East, Jewish community leaders expressed disappointment in the leaders of other religious communities, as well as in some local and national politicians, for not speaking out more forcefully against anti-Semitism. In addition, several Jewish groups accused the print media of pro-Palestinian bias in their reporting of the situation in the Middle East, and expressed concern that this alleged bias could increase anti-Semitic attitudes. In October 2001, the management of a commercial racing track in Oschersleben informed the foreign subsidiary of the California Superbike School—a private firm—that it could not rent the track to conduct a training session; they stated that the denial was based on the grounds that the founder of the School was a Scientologist, and that Scientology was under OPC observation.

With an estimated 4 million adherents, Islam is the 3-rd most commonly practiced religion in the country (after Catholicism and Lutheranism). All branches of Islam are represented, with the vast majority of Muslims coming from a large number of other countries. At times this led to societal discord, such as local resistance to the construction of mosques or disagreements over whether Muslims may use loudspeakers in residential neighborhoods to call the faithful to prayer. There also remain areas where the law conflicts with Islamic practices or raises religious freedom issues. In 2000 the Government published a comprehensive report on "Islam in Germany" that examined these issues in response to an inquiry from Parliament. In June 2002, the Federal Interior Ministry organized the "Forum Islam" in Frankfurt in order to foster dialog among Muslim communities and between these communities and the federal Government.

In the past, opposition to the construction of mosques was reported in various communities around the country. There was no further discussion of the dispute in Heselach regarding the construction of a mosque.

There also was a case of a planned mosque in the Frankfurt suburb of Roedelheim. Neighbors expressed concerns about an increase in traffic if visitors come to attend services at the mosque. There were newspaper reports of open opposition to the project voiced at citizen meetings with the city administration. Leading city officials seem to support the construction of the mosque, but the case was pending at the end of the period covered by this report.

In October 2001, two young men of Arab origin were convicted of aggravated arson in association with an attack on a synagogue in Dusseldorf that month, which caused slight damage to the building. Police found Nazi symbols and related items in the suspects' homes. The synagogue remained under around-the-clock police protection since the incident at the end of the period covered by this report.

In July 2000, an explosive device was detonated at a Dusseldorf train station, injuring 10 persons, most of whom were Jewish refugees from the former Soviet Union. Despite intensive police investigation, the case, which authorities considered a possible hate crime, had not been solved by the end of the period covered by this report.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights.

In response to anti-Semitic crimes, members of the U.S. Mission closely followed the Government's responses and officially expressed the U.S. Government's opposition to anti-Semitism. Mission officers maintained contacts with Jewish groups and continue to monitor closely the incidence of anti-Semitic activity.

The status of Scientology was the subject of many discussions during the period covered by this report. The U.S. Government expressed its concerns over infringement of individual rights because of religious affiliation and over the potential for discrimination in international trade posed by the screening of foreign firms for possible Scientology affiliation. U.S. Government officials discussed with state and federal authorities U.S. concerns about the violation of individual rights posed by the use of declarations of Scientology affiliation. U.S. officials frequently made the point that the use of such "filters" to prevent persons from practicing their professions, solely based on their beliefs, is an abuse of their rights, as well as a discriminatory business practice. The U.S. Government consistently maintained that the determination of whether any organization is religious is for the organization itself to make.

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**GREECE**

The Constitution establishes the Eastern Orthodox Church of Christ (Greek Orthodoxy) as the "prevailing" religion, but also provides for the right of all citizens to practice the religion of their choice; however, while the Government generally respects this right, non-Orthodox groups sometimes face administrative obstacles or encounter legal restrictions on religious practice. The Constitution prohibits proselytizing and stipulates that no rite of worship may disturb public order or offend moral principles.

There was no change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom. Nonorthodox citizens have complained of being treated with suspicion or told that they were not truly Greek when they revealed their religious affiliation.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 81,935 square miles, and its population is an estimated 10.9 million. Approximately 97 percent of the population identify themselves at least nominally with the Greek Orthodox faith. There are approximately 500,000 to 800,000 Old Calendarists throughout the country. With the exception of the Muslim community (some of whose rights and privileges as well as related government obligations are covered by the 1923 Treaty of Lausanne), the Government does not keep statistics on the size of religious groups; the 2001 census did not ask for religious affiliation. Ethnic Greeks account for a sizeable percentage of most non orthodox religions. The balance of the population is composed of Muslims (officially estimated at 98,000, although some Muslims claim up to 130,000 to 140,000 country-wide); accurate figures for other religious groups are not available. Members of Jehovah's Witnesses are estimated at 50,000; Catholics at 50,000; Protestants, including evangelicals, at 30,000; and the Church of Jesus Christ of Latter-Day Saints (Mormons) at 300. Scientologists claim 12,000 members, a figure observers believe to be high. The Jewish community numbers approximately 5,000 adherents; an estimated 1,000 reside in Thessaloniki and the majority are citizens. Approximately 250 members of the Baha'i Faith, the majority of whom are citizens of non-Greek ethnicity, are scattered throughout the country. There also are small populations of Anglicans, Baptists, and nondenominational Christians. There is no official or unofficial estimate of atheists.

The majority of noncitizen residents are not Greek Orthodox. The largest group is the Albanians (approximately 700,000 including legal and illegal residents); most nominally are Muslim, Orthodox, or Roman Catholic, but the majority are non practicing.

Catholics reside primarily in Athens and on the islands of Syros, Tinos, Naxos, and Corfu, as well as in the cities of Thessaloniki and Patras. Immigrants from the

Philippines and Poland also practice Catholicism. The Bishop of Athens heads the Roman Catholic Holy Synod.

Some religious groups, such as the evangelicals and Jehovah's Witnesses, consist almost entirely of ethnic Greeks. Other groups, such as Mormons and Anglicans, consist of an approximately equal number of ethnic Greeks and non-Greeks.

The Muslim population, concentrated in Thrace with small communities in Rhodes, Kos, and Athens, is composed mainly of ethnic Turks but also includes Pomaks and Roma.

Scientologists, most of whom are located in the Athens area, practice their faith through a registered nonprofit philosophical organization.

Foreign missionary groups in the country, including Protestants and Mormons, are active; the latter states that it has approximately 80 missionaries in the country each year, for approximately 2-year terms.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution establishes the Eastern Orthodox Church of Christ (Greek Orthodoxy) as the prevailing religion, but also provides for the right of all citizens to practice the religion of their choice; however, while the Government generally respects this right, non-Orthodox groups sometimes face administrative obstacles or encounter legal restrictions on religious practice. The Constitution prohibits proselytizing and stipulates that no rite of worship may disturb public order or offend moral principles. The Orthodox Church exercises significant political and economic influence. The Government, under the direction of the Ministry of Education and Religion, provides some financial support by, for example, paying for the salaries and religious training of clergy, and financing the maintenance of Orthodox Church buildings. However, the conscientious objector provision in the Constitution and an effective, well-run Ombudsman's office, which successfully handled an increasing number of cases, fostered government tolerance of minority religions.

The Orthodox Church, Judaism, and Islam are the only groups considered to be a "legal person of public law" by law. Other religions are considered "legal persons of private law." In practice the primary distinction is that the establishment of "houses of prayer" of religions other than the Orthodox Church, Judaism, or Islam is regulated by the general provisions of the Civil Code regarding corporations. For example, these religions cannot own property as religious entities; the property must belong to a specifically created legal entity rather than to the church itself. In practice this places an additional legal and administrative burden on non-Orthodox religious community organizations, although in most cases this process has been handled routinely. Members of minority religious groups that are classified as private entities also cannot be represented in court as religious entities and cannot will or inherit property as a religious entity. A 1999 law extended legal recognition to Catholic churches and related entities established prior to 1946. By virtue of the Orthodox Church's status as the "prevailing" religion, the Government recognizes the Orthodox Church's canon law (the official statutes of the Church); however, the Catholic Church unsuccessfully has sought government recognition of its canon law since 1999.

Two laws from the 1930's require recognized or "known" religious groups to obtain "house of prayer" permits from the Ministry of Education and Religion in order to open houses of worship. By law the Ministry may base its decision to issue permits on the opinion of the local Orthodox bishop. No formal mechanism exists to gain recognition as a known religion, but Ministry officials state that they no longer obtain the opinion of the local Orthodox bishop when considering house of prayer permit applications. According to the Ministry's officials, applications for additional houses of prayer are numerous and are approved routinely; however, in 2000 the Ministry denied the Scientologists of Greece their application for recognition and a house of prayer permit on the grounds that Scientology is not a religion. An appeal was pending at the end of the period covered by this report. The Church of Scientology appealed the decision with the Council of State in December 2000 and the case still was pending at the end of the period covered by this report.

Leaders of some non-Orthodox religious groups claimed that all taxes on religious organizations were discriminatory, even those that the Orthodox Church has to pay, because the Government subsidizes the Orthodox Church, while other groups are self supporting. The Government also pays the salaries of the two official Muslim religious leaders ("muftis," Islamic judges and religious leaders with limited civic responsibilities) in Thrace and provides them with official vehicles.

The 1923 Treaty of Lausanne, which still is in force, gives Muslims in Thrace the right to maintain social and charitable organizations (“wakfs”) and provides for muftis to render religious judicial services.

The Treaty of Lausanne provides that the Muslim minority has the right to Turkish-language education, with a reciprocal entitlement for the Greek minority in Istanbul (now reduced to approximately 3,000 persons). Western Thrace has both Koranic and secular Turkish-language schools. In 2000 approximately 19 new Turkish-language textbooks approved jointly by the Governments of Greece and Turkey were distributed in the schools, the first such distribution since 1974. Approximately 8,000 Muslim children attended Turkish-language public schools and an additional 150 attended 2 bilingual middle schools with a religious curriculum. Approximately 600 Muslim students attended Turkish-language secondary schools, and approximately 1,600 Muslim students attended Greek-language secondary schools. Some Muslims, especially in Thrace, attend high school in Turkey. In 1999 the Government instituted a European Union funded program for teaching Greek as a second language to Muslim children, primarily in the Greek-language schools, to improve their academic performance and chances of obtaining postsecondary education in the country.

Other than in one multicultural elementary education “pilot school,” the Government does not provide instruction in Greek as a second language to Turcophone children in the Athens area. Muslim parents report that their children are unable to succeed in school as a result of this policy. The Government maintains that Muslims outside Thrace are not covered by the Treaty of Lausanne and therefore do not enjoy those rights provided by the treaty.

Government incentives encourage Muslim and Christian educators to reside and teach in isolated villages.

The law permits the Minister of Education to give special consideration to Muslims for admission to universities and technical institutes. The law requires universities and technical institutes to set aside places for Muslim students each year. Fewer than half of the 400 places available were filled by the end of the period covered by this report.

#### *Restrictions on Religious Freedom*

In 2000 the Ministry of Education and Religious Affairs rejected the application of the Scientologists for recognition and a house of prayer permit on the grounds that Scientology “is not a religion.” The Church of Scientology is registered as a philosophical organization because legal counsel advised that the Government would not recognize Scientology as a religion. The Scientologists appealed the ministry decision with the Council of State and the case remained pending at the end of the period covered by this report, allowing Scientologists to operate as a non-profit association.

Minority religious groups have requested that the Government abolish laws regulating house of prayer permits, which are required in order to open houses of worship. Many provisions of these laws are not applied in practice, but local police still have the authority to bring minority churches to court that operate or build places of worship without a permit. A defrocked Orthodox priest in northern Greece continued to hold religious services in Macedonian (the language of the Former Yugoslav Republic of Macedonia) in a meeting hall, despite complaints by Orthodox clergy.

Several religious denominations reported difficulties in dealing with the authorities on a variety of administrative matters. Privileges and legal prerogatives granted to the Greek Orthodox Church are not extended routinely to other recognized religions. The non-Greek Orthodox churches must provide separate and lengthy applications to government authorities on such matters as gaining permission to move places of worship to larger facilities. In contrast Greek Orthodox officials have an institutionalized link between the church hierarchy and the Ministry of Education and Religion to handle administrative matters.

Although Jehovah’s Witnesses are recognized as a “known” religion, members continued to face some harassment in the form of arbitrary identity checks, difficulties in burying their dead, and local officials’ resistance to their construction of churches (which in most cases was resolved quickly and favorably).

Several religious denominations, including foreign Mormons and Jews, reported difficulty in renewing the visas of their non-European Union citizen ministers and rabbis because the Government does not have a distinct religious workers’ visa category. As part of new obligations under the Schengen Treaty and the Treaty of Amsterdam, all non-European Union citizens face a more restrictive visa and residence regime than they did in the past. By the end of the period covered by this report, no progress had been made on issuing visas for foreign clergy to perform their religious work in the country.

In the summer of 2000, the Government decided to remove the notation of religious affiliation on national identity cards. Despite criticism from the Orthodox Church, the Government began issuing the new identity cards in 2001.

Non-Orthodox citizens have claimed that they face career limits within the military, police, fire-fighting forces, and the civil service because of their religions. In the military, generally only members of the Orthodox faith become officers, leading some members of other faiths to declare themselves Orthodox. Few Muslim military personnel have advanced to the rank of reserve officer, and there were reports of pressure exerted on Greek Orthodox military personnel not to marry in the religious ceremony of their non orthodox partner, because they may be passed over for promotion. In addition, the rigorous training requirements to advance also require a solid educational background and fluency in Greek, posing an obstacle for many Muslims.

The percentage of Muslims employed in the public sector and in state-owned industries and corporations is disproportionately lower than the percentage of Muslims in the population, which many observers claim is due to the language barrier, not to religious discrimination. In Xanthi and Komotini, while Muslims hold seats on the prefectural and town councils, there are no Muslims among regular employees of the prefecture. Muslims in Thrace claim that they are hired only for lower level, part-time work. According to the Government, lack of fluency in written and spoken Greek and the need for university degrees for highlevel positions limit the number of Muslims eligible for government jobs.

The approximately 10,000 member Muslim community in Athens (composed primarily of economic migrants from Thrace, Pakistan, Iran, and Iraq) is still without its own mosque or any state appointed cleric to officiate at various religious functions, including funerals. Members of the Muslim community often transport their deceased back to Thrace for religious burials. In 2000 the Parliament approved a bill allowing construction of the first Islamic cultural center and mosque in the Athens area; however, construction had not started by the end of the period covered by this report. Members of the Orthodox Church oppose the cultural center, claiming it may "spread the ideology of Islam and the Arab world" rather than act as a simple museum. According to official sources, a total of 287 mosques operate freely in Thrace and on the islands of Rhodes and Kos.

Differences remain within the Muslim community and between segments of the community and the Government regarding the means of selecting muftis. Under a 1991 law, the Government appointed two muftis and one assistant mufti, all residents in Thrace.

The appointments to 10-year terms were based on the recommendations of a committee of Muslim notables selected by the Government. The Government argued that it must appoint the muftis, because in addition to religious duties, they perform judicial functions in many civil and domestic matters under Muslim religious law, for which the State pays them. In 2001 the mufti from Komotini and the mufti from Xanthi were reappointed for another 10-year term. Some Muslims accept the authority of the two government-appointed muftis; other Muslims, backed by Turkey, have "elected" two muftis to serve their communities (although there is no established procedure or practice for election).

Controversy between the Muslim community and the Government also continued over the management and self-government of the "wakfs" (Muslim charitable organizations), particularly regarding the appointment of officials and the degree and type of administrative control. A 1980 law placed the administration of the wakfs in the hands of the appointed muftis and their representatives. In response to objections from some Muslims that this arrangement weakened the financial autonomy of the wakfs and violated the terms of the Treaty of Lausanne, a 1996 presidential decree placed the wakfs under the administration of a committee for 3 years as an interim measure pending resolution of outstanding problems. The interim period was extended in 1999. At the end of the period covered by this report, the Government was preparing a draft bill that would permit Muslims to elect their own administrative committee for each municipality.

Evangelical parishes are located throughout the country. Members of missionary faiths report having difficulties with harassment and police detention due to antiproselytizing laws. Church officials express concern that antiproselytizing laws remain on the books, although such laws no longer hinder their ministering to the poor and to children.

In 1998 a law providing an alternative form of mandatory national service for conscientious objectors (for religious and ideological reasons) took effect. The law provides that conscientious objectors may work in state hospitals or municipal services for 36 months, in lieu of mandatory military service. Conscientious objector groups generally characterized the legislation as a positive first step but criticized the 36-

month alternative service term, which is double the regular 18-month period of military service. Also since 1998, all members of Jehovah's Witnesses who wished to submit applications for alternative nonmilitary service have been permitted to do so. There were 10 religiously based conscientious objector cases still pending resolution at the end of the reporting period. These cases pertain to individuals who were in the process of contesting a prison term for refusing to serve in the military and whose cases were not covered by the 1998 law.

A 1939 law prohibits the functioning of private schools in buildings owned by non-Orthodox religious foundations; however, this law is not enforced in practice.

Religious instruction in Orthodoxy in public, primary, and secondary schools is mandatory for all Orthodox students. Nonorthodox students are exempt from this requirement. However, members of Jehovah's Witnesses have reported some instances of discrimination related to attendance at religious education classes or other celebrations of religious or nationalistic character. Jewish teachers are not allowed to teach at the primary level because they are not Orthodox and cannot give religious instruction in Orthodoxy to the students. Members of the Muslim community in Athens are lobbying for Islamic religious instruction for their children. The neighborhood schools offer no alternative supervision for the children during the period of religious instruction. The community has complained that this forces the parents to have their children attend Orthodox religious instruction by default.

In the past, Muslim activists have complained that the Government regularly lodges tax liens against the wakfs, although they are tax-free foundations in theory. Under a national land and property registry law that entered into full effect in 1999, the wakfs, along with all property holders, must register all of their property with the Government. The law permits the Government to seize any property that the owners are not able to document; there are built-in reporting and appeals procedures. The wakfs were established in 1560; however, due to the destruction of files during the two world wars, the wakfs are unable to document ownership of much of their property. They have not registered the property, so they cannot pay assessed taxes. The Government had not sought to enforce either the assessments or the registration requirement by the end of the period covered by this report.

In Thessaloniki in 1999, the Government Tax Office refused to recognize the Jehovah's Witnesses as a nonprofit association (Evangelicals and Baha'is are considered nonprofit associations) and imposed an inheritance tax for property willed to them. The groups appealed the decision in 2000; the Court of Appeals overturned the imposed tax in April 2001. However, in 2001 the tax office in Thessaloniki again refused to recognize Jehovah's Witnesses as a nonprofit association in two more cases and again imposed an inheritance tax for property willed to them.

#### *Abuses of Religious Freedom*

Church leaders report that their permanent members (non missionaries) do not encounter discriminatory treatment. However, police regularly detained Mormons and members of Jehovah's Witnesses (on average once every 2 weeks) usually after receiving complaints that the individuals were engaged in proselytizing. In most cases, these individuals were held for several hours at a police station and then released with no charges filed. Many reported that they were not allowed to call their lawyers and that they were abused verbally by police officers for their religious beliefs. There were three new charges of proselytism against Jehovah's Witnesses; however, the Public Prosecutor had not filed charges by the end of the period covered by this report. Another three cases remained pending in the courts.

The courts have convicted one of the "elected" muftis 14 times in 5 years for usurping the authority of the official mufti. Most sentences were upheld at the appeal; the elected mufti chose to pay fines rather than serve time in jail. The other "elected" mufti, who was convicted in 1991 of usurping the authority of the official mufti, appealed to the European Court of Human Rights (ECHR). In 1999 the ECHR ruled that the conviction violated his freedom of religion and self-expression, but it did not rule on the question of his legal status as mufti. In July 2001, the Greek Supreme Court ruled that the muftis are innocent because they were not practicing official mufti duties.

There were no reports of religious prisoners or detainees apart from the problems of temporary police detention experienced by Mormons and members of Jehovah's Witnesses.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Citizens tend to link religious affiliation very closely to ethnicity. Many attribute the preservation of national identity to the actions of the Greek Orthodox Church during approximately 400 years of Ottoman rule and the subsequent nation-building period. The Church exercises significant social, political, and economic influence, and it owns a considerable, although undetermined, amount of property.

Many citizens consider an ethnic Greek also an Orthodox Christian. Non-Orthodox citizens have complained of being treated with suspicion or told that they were not truly Greek when they revealed their religious affiliation.

Members of minority faiths have reported incidents of societal discrimination, such as local bishops warning parishioners not to visit clergy or members of minority faiths and neighbors, and requesting that the police arrest missionaries for proselytizing. However, with the exception of the Muslim minority of Thrace, most members of minority faiths consider themselves satisfactorily integrated into society. Organized official interaction between religious communities is infrequent.

Some non-Orthodox religious communities believe that they have been unable to communicate with officials of the Orthodox Church and claim that the attitude of the Orthodox Church toward their faiths has increased social intolerance toward their religions. The Orthodox Church has issued a list of practices and religious groups, including members of Jehovah's Witnesses, Evangelical Protestants, Scientologists, Mormons, Baha'is, and others, which it believes to be sacrilegious. Officials of the Orthodox Church have acknowledged that they refuse to enter into dialog with religious groups considered harmful to Orthodox worshippers; church leaders instruct Orthodox Greeks to shun members of these faiths.

A new Jewish museum opened in Thessaloniki in early March 2001 and the Jewish community in Thessaloniki and authorities officially inaugurated it in May 2001. A temporary Anne Frank exhibition was displayed in Thessaloniki in April 2001, and a Holocaust Museum and Memorial was dedicated in April 2002.

In April 2002, vandals desecrated the Jewish Cemetery in Ioannina and the Holocaust Memorial in Thessaloniki.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy officers meet regularly with working level officials responsible for religious affairs in the Ministries of Foreign Affairs and Education and Religious Affairs. The Ambassador and Political Counselor discussed religious freedom with senior government officials and religious leaders. The U.S. Embassy also regularly discusses religious freedom issues in contacts with other government officials, including mayors, regional leaders, and Members of Parliament. Officers from the Embassy and the Consulate General in Thessaloniki meet regularly with representatives of various religious groups, including the Greek Orthodox Church, and the Protestant, Catholic, Jewish, and Islamic communities. In an October 2001 meeting with Orthodox religious leaders, the Ambassador severely criticized racist and anti-Semitic comments made by Orthodox Church officials. In early 2002, the Ambassador met with leaders of the Muslim and Christian communities in Thrace for the second time in 34 years. The U.S. Embassy investigates every complaint of religious discrimination brought to its attention.

Employees of the U.S. Embassy's consular section assisted Bible Baptist clergy to receive permission to visit all prisoners, not only those of the Baptist faith. The consular section also has followed actively issues relating to religious workers' visas and property taxes.

The U.S. Embassy and Consulate promote and support initiatives related to religious freedom. For example, Embassy staff has gathered leaders of the religious minority groups in Athens together for representational dinners. In December 2001, the Ambassador hosted an Iftar dinner during the holy month of Ramadan for members of the Muslim community. Participants noted the uniqueness and the value of such gatherings in the country.

The Ambassador and embassy officials regularly visit religious sites throughout the country and meet with representatives of all faiths, soliciting their participation in Embassy social events.

## HUNGARY

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion; however, the four “historic churches” and certain other denominations enjoy some privileges not available to other faiths.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 35,910 square miles, and its population is an estimated 10 million.

Strict enforcement of data protection regulations impedes the collection of official statistics on popular participation in religious life. However, independent surveys in 1996 and 1997 indicated that the population is not particularly devout. Only 15 percent of those surveyed considered themselves to be religiously active and closely followed the tenets of their church. The majority, 55 percent, said that they practiced religion in their own way or were nominally religious but not regularly active in their church. Approximately 30 percent said that they were nonreligious. The results of the latest census, in which there was an optional question on church affiliation, are expected to be available in July 2002.

According to traditional estimates, 68 percent of citizens are Catholic, 21 percent are members of the Reformed Church, 4 percent are members of the Lutheran Church, and less than 1 percent are followers of Judaism. These four are considered the country’s historic churches. The remaining 7 percent of the population are divided between all other denominations. Largest among these is the Congregation of Faith, a Hungarian evangelical Christian movement. Other denominations include a broad range of Christian groups, including five Orthodox denominations. In addition, there are seven Buddhist denominations and two Islamic communities.

A 1996 law permits citizens to donate 1 percent of their income tax to the church of their choice and an additional 1 percent to the nonprofit agency of their choice. Statistics from the collection of tax revenue voluntarily directed for church use confirm the ranking of traditional estimates of church affiliation. The top 10 churches for the year 2000 and the number of individuals who chose to donate 1 percent of their tax to that church are as follows: Catholic Church—357,163; Calvinist Church—116,073; Lutheran Church—33,217; Congregation of Faith—9,283; Jewish Community—5,950; Jehovah’s Witnesses—5,789; Krishna Consciousness—4,432; Baptist Church—3,889; Tibetan Buddhist Community—2,922; and Unitarian Church—1,760.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

The 1990 Law on the Freedom of Conscience regulates the activities and benefits enjoyed by religious communities and establishes the criteria by which they attain that legal designation. Religious groups must declare that they have 100 followers and submit a brief statement of principles to a local court to become registered as a church. While any group is free to practice their faith, formal registration makes available to a religious group certain protections and privileges, and grants access to several forms of state funding. The courts have registered more than 136 churches.

The State grants financial support for religious practice, educational work, and the maintenance of public art collections of cultural value. In 2001 total government support to the various churches was \$93,475 (24,303,487 Hungarian Forint (HUF)), while in 2002 it reached \$102,056 (26,534,800 HUF). The Government provides the same level of financial support for church-sponsored education as for state institutions on a per child basis.

At the end of 2001, the Government also reached an agreement with the 4 historical churches to support clergy in settlements with a population of less than 5,000. Clergy in the small settlements receive supplementary wages for their services. The money has been distributed through the churches since January 1, 2002. As there are no functioning synagogues in small settlements, the Government modified their agreement with the Jewish Community to allow it to spend the money on reconstruction and maintenance of Jewish cemeteries. After a lengthy series of talks, the Government concluded a similar agreement in the beginning of 2002 with six minor churches: the Baptist, Unitarian, and Pentecostal churches, and the Budai Serb, Romanian, and Greek Orthodox Churches.

To promote the revitalization of religious institutions and settle property issues, the Government signed separate agreements with the country's four historic churches and with two smaller churches (Hungarian Baptist and Budai Serb Orthodox) between 1997 and 1999. In defense of the agreements, Prime Minister Viktor Orban stated that "under the given circumstances, we succeeded in removing all financial, administrative, political, and legal hurdles from the path of our historic churches." The churches and the State agreed on a number of properties to be returned and an amount of monetary compensation to be paid for properties that could not be returned. These agreements are subsumed under the 1991 Compensation Law, which require the Government to compensate churches for properties confiscated by the Government after January 1, 1946. In 1999 the Government paid churches \$21 million (5 billion HUF) as compensation for the assets confiscated during the Communist regime. By 2011 the State is expected to pay an estimated total of \$179 million (42 billion HUF) to the churches for buildings not returned. While these agreements primarily addressed property issues and restitution, they also have provisions addressing the public service activities of the churches, religious education, and the preservation of monuments.

As of the end of 2001, there were more than 1,600 pending cases of real property that once belonged to churches that, between 1999 and 2011, the State must decide whether or not to return. Real estate cases have involved 12 religious groups: Catholic, Calvinist, Lutheran, Unitarian, Baptist, Hungarian Romanian Orthodox, Hungarian Orthodox, Budai Serb Orthodox, Hungarian Methodist, Seventh-Day Adventist, the Salvation Army, and the Confederation of Hungarian Jewish Communities (MAZSIHISZ). Overall, 7,220 claims were made by churches for property restitution under the 1991 Compensation Law: 1,600 cases were rejected as inapplicable under the law; the Government decided to return the property in 1,129 cases, and gave cash payments in another 1,770 cases; approximately 1,000 cases were resolved directly between former and present owners without government intervention; and the remainder (approximately 1,660 cases) must be decided by 2011. Religious orders and schools have regained some property confiscated by the Communist regime.

A 1992 compensation law provided for restitution to families of persons who were sentenced in court under the Communist and Nazi regimes. In 1996 the Constitutional Court decreed that the law was drawn too narrowly. In 1997 Parliament passed modifications to this law and extended compensation for the period 1939 to 1989 to "victims of political autocracy." This category includes victims of political, religious, and racist persecution during World War II; forced laborers in Soviet camps; and victims of the 1956 revolution. At that time, the Government decided upon \$12 million (3 billion HUF) as the total compensation figure to be distributed among all Holocaust victims. Based on this figure, in 1998 the Orban Government decided that it could allow compensation of \$128 (30,000 HUF) to the heirs of the Holocaust victims. MAZSIHISZ and international Jewish organizations criticized the package as unfair, comparing it to previous awards of \$4,255 (1 million HUF) given to the heirs of victims executed by the Communist regime. In November 2000, the Constitutional Court ruled that the proposed package was inadequate. The Government is in the process of negotiating a new proposal with the Jewish community; however, talks have stalled over the issue of paying interest on the proposed compensation. In 1998 the Ministry for Cultural Heritage initiated an inventory of museum holdings to identify works of art eligible for restitution or compensation for Holocaust victims.

Easter Monday, Whit Monday, All Saints Day, and Christmas Day are all celebrated as national holidays. These holidays do not impact negatively any religious groups.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

However, the Government has demonstrated a willingness to treat the larger or longer established religions more favorably than the minority religious communities. A 2000 amendment to the tax code makes donations to the country's large or long-established churches tax deductible. For donors to qualify for the deduction, a church must be able to document one of the following: That it has been present in the country for 100 years or more; that it has been registered legally for at least 30 years (as no new churches were registered under the Communist regime, this essentially means churches registered before 1925); or that the present church following equals 1 percent of all tax contributors (approximately 43,000 persons). These criteria limit the tax benefit to only 14 of the some 136 registered churches in the country. Several of the smaller churches whose members cannot participate in this tax deduction took the case to the Constitutional Court, which chose not to review it.

In 2000 investigations into the activities of the Congregation of Faith by the Hungarian Taxation Authority (APEH) resulted in no charges. The Congregation also was the subject of a parliamentary inquiry in 1999 when the ties between the Church and one of the former ruling parties, the Alliance of Free Democrats (SZDSZ), came under scrutiny. The congregation, which has been in existence for 20 years, is the fastest growing religious group in the country. It is a charismatic evangelical Christian church and its religious discipline, zeal, and appeal to youth have engendered distrust among the country's older, more traditional population.

In 2000 the APEH also has initiated investigations of the Church of Scientology based on questions regarding the registration of clergy. The investigations took place at the Church's office where APEH investigators requested files and conducted interviews. The investigations have not affected the usual management of the Church and have not required the expenditure of large amounts of Church funds. In September 2001, the APEH closed its investigation and found no evidence of wrongdoing.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations between religious groups are amicable, and there is little friction between churches. Several Christian churches and the Jewish community have institutionalized a Christian-Jewish dialog, bringing together religious academics for regular discussions. Across a wide range of other areas, churches also have shown a great willingness to work together to achieve common social or political goals.

Overall society welcomed the increasing religious activity that followed the transition from communism. However, there also is some concern over the ease with which regulations on religion may be exploited, as well as concerns about the perceived undue influence that some "new churches" have over their followers.

The 1997 changes to the Penal Code made it easier to enforce and stiffen penalties for hate crimes committed on the basis of the victim's ethnicity, race, or nationality.

There continued to be occasional reports of vandalism and/or destruction of Christian and Jewish property. National Police figures for the first quarter of 2002 indicate a declining trend in cases of vandalism, while there is a worsening trend of burglary. While in 2001, a total of 40 religious buildings and 18 cemeteries were vandalized, during the first quarter of 2002, 21 religious buildings and 22 cemeteries were attacked. In 2001 there were criminal cases of burglary in 144 churches and 4 cemeteries, while in the first quarter of 2002, there were 50 burglaries in churches and 140 burglaries in cemeteries. Most police and religious authorities consider these acts of youth vandalism and not indications of religious intolerance.

Anti-Semitism remained a problem, which the Government continued to address. While there were no reports of anti-Semitic violence, there were incidents of desecration of Jewish tombstones and anti-Semitic graffiti on property. During the April 2002 elections, the Hungarian Justice and Life Party (MIÉP), the one political party that had been accused repeatedly of using anti-Semitic rhetoric, was voted out of Parliament. The Government initiated criminal proceedings against a former Member of Parliament for remarks that were considered anti-Semitic.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy actively monitors religious activities, maintaining regular contact with government officials, members of parliament, leaders of large and small churches, and representatives of local and international nongovernmental organizations that address issues of religious freedom. Through these contacts, embassy officers have tracked closely recent government efforts to modify the country's laws and the impact this might have on smaller, less well-established churches.

The Embassy also has remained active on issues of compensation and property restitution for Holocaust victims. Embassy officers have worked with MAZSIHISZ, the Hungarian Jewish Public Foundation, other local and international Jewish organizations and with Members of Parliament and the Ministry of Cultural Heritage to maintain a dialog on restitution issues, promote fair compensation, and secure access to Holocaust-era archives.

The U.S. Embassy continues to urge the Government to speak out against anti-Semitism and hate speech.

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**ICELAND**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the State financially supports and promotes an official religion, Lutheranism.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. The Lutheran Church, which is the state religion, enjoys some advantages not available to other faiths in the country.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 39,600 square miles, and its population is approximately 286,000. Most residents live on or near the coasts. The area surrounding the capital, Reykjavik, alone has more than 160,000 residents, or approximately 60 percent of the country's total population.

According to the National Statistical Bureau, 249,256 persons (87 percent of the total population) are members of the state Lutheran Church. A total of 990 individuals resigned from the Church during 2001, far exceeding the 225 new registrants. Many of those who resigned from the state Church joined one of the Lutheran Free Churches, which have a total membership of 11,633 persons (4.1 percent). The breakdown in membership is as follows: Reykjavik Free Church—5,520 members; Hafnarfjordur Free Church—3,755 members; and Reykjavik Independent Church—2,358 members. A total of 11,471 individuals (4 percent) are members of 20 other recognized and registered religious organizations: Roman Catholic Church—4,803 members; Pentecostal Church—1,630 members; The Way, Free Church—726 members; Seventh Day Adventists—725 members; Jehovah's Witnesses—638 members; Asa Faith Society—568 members; The Cross—502 members; Buddhist Association of Iceland—445 members; Baha'i Community—387 members; The Church of Jesus Christ of Latter-Day Saints (Mormons)—198 members; The Icelandic Christ-Church—188 members; Muslim Association—178 members; Betania—128 members; Parish Of St. Nicholas Of The Russian Orthodox Church—71 members; The Church of Evangelism—69 members; Kefas, Christian Community—74 members; Sjonarhaed Congregation—52 members; Zen in Iceland, Night Pasture—39 members; The Believers' Fellowship—39 members; and First Baptist Church—11 members. The Birth of the Holy Mary, a Serbian Orthodox Church, was recognized and registered during 2002; however, its membership figures were not available by the end of the period covered by this report. The Rock-Christian Community withdrew its registration as a registered religious organization in 2001 and merged with the Pentecostal Church. There were 7,344 individuals (2.6 percent) who belonged to other or non-specified religious organizations and 6,571 (2.3 percent) who were not part of any religious organization. There also are religions, such as Judaism, which have been practiced in the country for years, but have never requested official recognition. In official statistics these religions are listed as "other and non-specified."

A large proportion of citizens who belong to the state Lutheran Church do not practice their faith actively. However, the majority of citizens use traditional Lu-

theran rituals to mark events such as baptisms, confirmations, weddings, and funerals. Of Christians who practice their faith actively, the majority are members of Christian churches or organizations other than the state Lutheran Church. Growing numbers of citizens are choosing to mark important anniversaries and events with nonreligious ceremonies rather than traditional Lutheran rituals. For example, in the spring of 2002, 49 teenagers chose to be "confirmed" in a ceremony carried out by the 160-member Icelandic Ethical Humanist Association, a secular "life stance" organization founded in 1990 and a member of the International Humanist and Ethical Union.

According to statistics provided by the immigration authorities, the number of foreigners receiving a residence permit has increased significantly during the past several years. In direct relation to the increased number of foreigners (itinerant workers, immigrants, and refugees), the number of religious organizations has increased, since such foreigners often practice faiths different than those of citizens born in the country.

Mormons are the only significant foreign missionary group in the country.

Support for a separation of church and state is strong. Polls since 1993 show that from half to two-thirds of those persons taking a position on the issue favor separation of church and state. This support is strongest among the youth. A nongovernmental organization (NGO) with the goal of separation of church and state was established in 1994. Bills proposing separation are introduced in Parliament on a regular basis.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The official state religion is Lutheranism.

The State directly pays the salaries of the 146 ministers in the state church, and these ministers are considered public servants under the Ministry of Judicial and Ecclesiastical Affairs. The State operates a network of Lutheran parish churches throughout the country. In new housing areas, land automatically is set aside for the construction of a parish church to serve the area. All taxpayers 16 years of age and above must pay a church tax amounting to approximately \$73 (ISK 6,800) per year and a cemetery tax of approximately \$30 (ISK 2,800) per year. A 1987 law on the church tax provides for it to increase in accordance with average incomes; however, in December 2001, Parliament passed a special provision, freezing the 2002 tax at the 2001 level as an inflation-fighting measure. Individuals are free to direct their church tax payments to any of the 21 religious denominations and organizations officially registered and recognized by the State. For individuals who are not registered as belonging to a religious organization, or who belong to one that is not registered officially and recognized by the State, the tax payment goes to the University of Iceland, a secular institution. Atheists have objected to having their fee go to the University, claiming that it is inconsistent with their constitutional right of freedom of association.

The 2002 budget of the State church amounts to approximately \$35 million (ISK 3,215.9 million). Of that, \$14 million (ISK 1,282.5 million), or 40 percent, is funded by the church tax; \$14.5 million (ISK 1,330.4 million), or 41 percent, comes from general revenues; and the remaining \$6.5 million (ISK 603 million), or 19 percent, is funded by the cemetery tax. All the cemetery tax revenues go directly to the State church regardless of the taxpayer's religious affiliation. The State church acts as caretaker of the country's cemeteries; there are no private cemeteries. Persons of all religions have the use of the cemetery services. In 2002 religious organizations other than the State church are expected to receive \$1.2 million (ISK 111.9 million) from the church tax while the University of Iceland is expected to receive \$800,000 (ISK 72 million).

A 1999 law (Law Number 108) sets specific conditions and procedures that religious organizations must follow to be recognized officially and registered by the State. Such recognition is necessary for religious organizations other than the state church to receive a per capita share of church tax funds. The law applies only to religious organizations that are seeking to be, or are already, officially recognized and registered. No restrictions or requirements are placed on unregistered religious organizations, which have the same rights as other groups in society. The law was considered necessary to address frequent attempts by individuals to obtain recognition of religious organizations simply to receive the tax income benefits. The Ministry of Justice and Ecclesiastical Affairs handles applications for recognition and

registration of religious organizations. The 1999 law provides for a three member panel consisting of a theologian, a lawyer, and a social scientist from the University of Iceland to determine the bona fides of the applications. To be recognized officially and registered, a religious organization must, among other things, be well established within the country and have a core group of members who regularly practice the religion in compliance with its teachings. All registered religious organizations are required to submit an annual report to the Ministry of Judicial and Ecclesiastical Affairs describing the organization's operations over the past year. The new law also specifies that the leader of a religious organization must be at least 25 years of age and pay taxes in the country.

A Sunni Muslim group attempted to register in 2001; however, the Ministry of Justice rejected its application in 2002 because it was incomplete. The Icelandic Ethical Humanist Association attempted to register as a religious organization in 2002; however, the Ministry of Justice rejected its application on the basis that life stance organizations do not qualify as religious denominations.

Law Number 108 confirms that parents control the religious affiliation of their children until the children reach the age of 16. However, the Children's Act requires that parents consult their children about any changes in the children's affiliation after the age of 12. In the absence of specific instructions to the contrary, children at birth are assumed to have the same religious affiliation as their mother and are registered as such.

Under Law Number 66, which regulates public elementary schools ("grunnskolar"), the Government requires instruction in religion and ethics based on Christianity during the entire period of compulsory education; that is, ages 6 through 15. Virtually all schools are public schools, with a few exceptions such as the only Roman Catholic parochial school, which is located in Reykjavik where the vast majority of the country's small Roman Catholic community resides. All schools are subject to Law Number 66 with respect to the compulsory curriculum. However, the precise content of this instruction can vary; religious instruction at the Catholic school follows Catholic rather than Lutheran teachings. Students may be exempted from Christianity classes. The law provides the Minister of Education with the formal authority to exempt pupils from instruction in compulsory subjects such as Christianity. In practice, individual school authorities issue exemptions informally. There is no obligation for school authorities to offer other religious or secular instruction in place of Christianity classes.

Educational material on different religions is part of the compulsory syllabus. In addition, since religion is a component of culture, pupils learn about religions other than Christianity in history and social science classes as well. The curriculum is not rigid and teachers often are given wide latitude in the classroom. Some place greater emphasis on ethical and philosophical issues rather than on specifically religious instruction.

The Government is passive rather than proactive in promoting interfaith understanding. The Government does not sponsor programs or official church-government councils to coordinate interfaith dialog. However, one of the ministers in the state Church, who is of Japanese origin, has been designated to serve the immigrant community and help recent arrivals integrate into society.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

Beginning on June 7, 2002, the Government attempted to prevent Falun Gong members from entering the country during a June 12–16 visit by Chinese President Jiang Zemin. On June 11, the authorities detained 67 alleged members of Falun Gong from various countries; however, on June 12, the Government released the detainees and allowed them to enter the country. The Government then changed its strategy and tried to bar Falun Gong members by denying them permission to board Iceland-bound flights at airports in the United States and Europe. The Chinese Government provided lists of alleged Falun Gong members to the government authorities. Despite the Government's efforts, approximately 250 Falun Gong followers succeeded in gaining entry. They publicly practiced their routines without interference and, following negotiations with the Government, were permitted to stage protests against the Jiang Zemin visit in limited times and places. The Government ended its efforts to exclude Falun Gong upon Jiang Zemin's departure. The Government justified its actions on the basis of security, claiming that it did not have sufficient law enforcement resources to control large or violent protests and that the restrictions were necessary to ensure the Chinese President's safety. The Government's treatment of Falun Gong members provoked heavy criticism within the country from politicians, the media, and the public.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. If members of religious minorities face discrimination, it is more indirect in nature, taking the form of prejudice and lack of interfaith or intercultural understanding. The country has a small, close knit, homogenous society that closely guards its culture and is not accustomed to accommodating outsiders. Even though most citizens are not active members of the state church, it is still an important part of the country's cultural identity.

During the last decade, there has been increased awareness of other religious groups. Informal interfaith meetings have occurred, and two NGO's assist new immigrants.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the overall context of the promotion of human rights. The Embassy also maintains a regular dialog on religious freedom issues with the leaders of various religious groups and NGO's.

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**IRELAND**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 27,136 square miles, and its population was approximately 3.6 million in 1996, the most recent year for which figures are available.

The country is overwhelmingly Roman Catholic. According to official government statistics collected during the 1991 census (the most recent figures available), the religious affiliation of the population is 91.6 percent Roman Catholic, 2.5 percent Church of Ireland (Anglican), 0.4 percent Presbyterian, 0.1 percent Methodist, and less than 0.1 percent Jewish. Approximately 3 percent of the population are members of other religions or have no specific religious belief. (The 2001 census, which was due to have taken place in April 2001, was rescheduled for April 2002, due to the foot and mouth disease crisis; the results were not yet available by mid-2002.) Muslim and Orthodox Christian communities are growing, especially in Dublin, as a result of immigration.

Immigrants and noncitizens encounter few difficulties in practicing their faiths. There are some difficulties for non-Catholics associated with the availability of facilities and personnel outside of Dublin.

Although almost 92 percent of the population are classified as Roman Catholic, this is a "nominal" figure. According to the Catholic Information Office, just over half of Irish Catholics are estimated to be active church members. There are also numerous and varied small religious groups.

SECTION II. STATUS OF FREEDOM OF RELIGION

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this

right in full, and does not tolerate its abuse, either by governmental or private actors.

The Constitution prohibits promotion of one religion over another and discrimination on the grounds of religion or belief, and the Government does not restrict the teaching or practice of any faith. There is no state religion, and there is no discrimination against nontraditional religious groups. There is no legal requirement that religious groups or organizations register with the Government, nor is there any formal mechanism for government recognition of a religion or religious group.

While Roman Catholicism is the clearly dominant religion, it is not favored officially or in practice. However, adherence to Roman Catholicism may be politically advantageous because of the country's history and tradition as a predominantly Catholic country and society. Members of the major political parties (Fianna Fail and Fine Gael) tend to be practicing Catholics.

The Government does not require but does permit religious instruction in public schools. Most primary and secondary schools are denominational, and their boards of management are controlled partially by the Catholic Church. Under the terms of the Constitution, the Department of Education must and does provide equal funding to schools of different religious denominations (such as an Islamic school in Dublin). Although religious instruction is an integral part of the curriculum, parents may exempt their children from such instruction.

The Employment Equality Act prohibits discrimination in relation to employment on the basis of nine discriminatory grounds, including religion. An Equality Authority works toward continued progress toward the elimination of discrimination and the promotion of equality in employment. The Equal Status 2000 Act prohibits discrimination outside of the employment context (such as in education or provision of goods) based on the same grounds used in the Employment Equality Act.

The following religious holidays are considered national holidays: St. Patrick's Day (the country's national day), Good Friday, Easter Monday, Christmas Day, and St. Stephen's Day. These holidays do not negatively impact any religious groups.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations between various religious communities are amicable and friction is rare. Various religions, nongovernmental organizations (NGO's), and academic institutions have established activities or projects designed to promote greater mutual understanding and tolerance among adherents of different religions.

Society largely is homogenous; as a result, religious differences are not tied to ethnic or political differences. However, some citizens have political attitudes toward the conflict in Northern Ireland that are driven by their religious identities and loyalties. For example, some Catholics support Nationalist and Republican parties or ideals in the north on the basis of their religious loyalty.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy maintains regular contact with all communities, including religious groups and NGO's that address issues of religious freedom on a regular basis.

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## ITALY

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. There is no state religion; however, the Catholic Church receives some privileges not available to other faiths.

The generally amicable relationship among religions in society contributed to religious freedom. The Catholic Church's historic and continuing predominant role in society leads to controversy when Church teaching is perceived as instruction to Catholic legislators on matters of public policy. Increasing immigration has led to some antiimmigrant sentiment; since many migrants are Muslim, religion becomes an additional factor differentiating them from native-born citizens.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 116,347 square miles and its population is approximately 57.8 million. An estimated 85 percent of native-born citizens are nominally Roman Catholics. Members of Jehovah's Witnesses form the second largest denomination among such citizens, numbering approximately 400,000 adherents. However, immigration—both legal and illegal—continues to add large groups of non-Christian residents, mainly Muslims from North Africa, South Asia, Albania, and the Middle East, who now number an estimated 1 million. Buddhists include approximately 40,000 Europeans and 20,000 Asians.

Scientologists claim approximately 100,000 members, Waldensians approximately 30,000 members, and the Church of Jesus Christ of Latter-Day Saints (Mormons) approximately 20,000 members. A Jewish community of approximately 30,000 persons maintains synagogues in 21 cities. Other significant religious communities include Orthodox churches and small Protestant groups, Japanese Buddhists, and South Asian Hindus.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The 1947 Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

Prior to the Constitution's adoption, the country's relations with the Catholic Church were governed by a 1929 Concordat, which established Catholicism as the country's state religion. A 1984 revision of the Concordat formalized the principle of a secular state but maintained the principle of state support for religion—support that also could be extended, if requested, to non-Catholic confessions. In such cases, state support is to be governed by legislation implementing the provisions of an accord ("intesa") entered into by the Government and the religious confession. If a religious community so requests, an intesa may provide for state routing, through a voluntary check-off on taxpayer returns, of funds to that community—a privilege that some communities initially declined but later requested. An intesa grants ministers of religions automatic access to state hospitals, prisons, and military barracks; allows for civil registry of religious marriages; facilitates special religious practices regarding funerals; and exempts students from school attendance on religious holidays. The absence of an intesa does not affect a religious group's ability to worship freely; however, the privileges granted by an intesa are not always granted automatically, and a religious community without an intesa may not benefit financially from the voluntary check-off on taxpayer returns.

In 1984 the first such accord granted specific benefits to the Waldensian Church. Similar accords (which require lengthy procedures to obtain) extended similar benefits to the Adventists and Assembly of God (1988), to Jews (1989), and to Baptists and Lutherans (1995). In March 2000, the Government signed accords with the Buddhist Union and Jehovah's Witnesses; however, these intese did not receive parliamentary ratification before that Government left office. With new filings initiated by the Mormons (1998), the Apostolic Church (2000), the Orthodox Church (of the Constantinople Patriarchate) (1998), Hindus (2001), and (Japanese Buddhist) Soka Gakkai (2001), the current Government, elected in May 2001, chose to complete work on pending requests and submit all such accords to Parliament as a single package. Divisions among the country's Muslim organizations, as well as its multiple Muslim immigrant groups, have hindered that community's efforts to seek an intesa.

The revised Concordat of 1984 accorded the Catholic Church certain privileges. For example, the Church is allowed to select Catholic teachers to provide instruction in "hour of religion" courses taught in the public schools. The teachers are paid by the State. This class is optional, and students who do not wish to attend are free to study other subjects or, in certain cases, to leave school early. While in the past

this instruction involved Catholic priests teaching Catechism, church-selected instructors now may be either lay or religious, and their instruction is intended to include material relevant to non-Catholic faiths. Problems may arise in small communities where information about other faiths and numbers of non-Catholic communicants is limited. The Constitution prohibits state support for private schools; however, declining enrollment in Catholic schools has led Catholic Church officials, as operators of the country's most extensive network of private schools, to seek government aid.

While Roman Catholicism is no longer the state religion, its role as the dominant one occasionally gives rise to problems—some overt, others subtly societal. In January 2002, the Pope called on Catholic jurists to boycott divorce cases; however, Justice Minister Roberto Castelli noted that judges should not exercise “conscientious objection” in discharging their duties. Subsequent to a series of Church consultations with political leaders prior to May 2001 elections, President Carlo Azeglio Ciampi underlined the secular nature of the State and the Constitution's explicit separation of church and state. In June 2002, Parliament passed a Vatican-inspired bill forbidding the use of donated sperm for artificial insemination. The legislation drew support from Catholic legislators across the political spectrum (and secular conservatives and Communists joined to oppose it).

The continuing presence of Catholic symbols, such as crucifixes, which may be found hanging on courtroom or government office walls, has drawn criticism and has been the object of lawsuits. In 2000 the Court of Cassation ruled in favor of a schoolteacher who asserted that crucifixes should not be present at voting sites maintained by a secular state. However, attempts by individual teachers to remove crucifixes from the classroom in public schools, in deference to Muslim students, have resulted in newspaper editorial criticism for “excessive zeal.”

Missionaries or religious workers do not encounter problems but must apply for appropriate visas prior to arriving in the country.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Religious and government officials encourage mutual respect for religious differences.

In view of the negative aspects of the country's Fascist past, government leaders routinely acknowledge and pay tribute to Jews victimized by the country's 1938 racial laws.

In October 2001, Rome Mayor, Walter Veltroni, conferred “honorary citizenship” on Rome's Chief Rabbi Elio Toaff, on the occasion of his retirement after 50 years of service in the city. President Ciampi, Senate President Marcello Pera, and Chamber of Deputies President Pier Ferdinando Casini attended the ceremony. Following the December 2001 terrorist attacks in Israel, Prime Minister Silvio Berlusconi attended a memorial service in Rome's synagogue; this was the first time a Prime Minister had visited the synagogue.

Increasing immigration, much of it from China, South Asia, North and West Africa, Eastern Europe, the Balkans, Turkey, and the Middle East, is altering demographic and cultural patterns in communities across the country and has led to some antiimmigrant sentiment. As many migrants are Muslim, religion becomes an additional factor differentiating them from native-born citizens. Some Catholic prelates have contributed to popular reaction by emphasizing the perceived threat posed by immigrants to the country's “national identity” and what they view as the country's need to favor immigration by Catholics “or at least Christians.” On occasion Church spokesmen have emphasized the difficulties in Catholic-Muslim mixed marriages.

For example, in June 2000, the press reported that Italian Episcopal Conference Secretary Monsignor Ennio Antonelli commented on the Conference's decision earlier that year to tighten dispensation for Catholics to marry Muslims. He said that “the problem of mixed marriages is also tied in with the matter of a possible accord between the Italian State and Muslims. The Italian State should assure, in a rig-

orous manner, that Italian constitutional values are protected, especially in regard to the family.” The report further noted that the Conference’s current position represented a reversal of previous Church policy, because 3 years earlier Church officials had responded to the growing trend of Catholic-Muslim marriages by organizing classes on Muslim world culture and tradition.

In the fall of 2001, hostile comment directed toward Muslims intensified. Prominent priest Gianni Bagget Bozzo, who often writes for the press, warned that the New York and Washington attacks were consonant with “13 centuries” of Muslim warfare against Christians. Bologna Cardinal Giacomo Biffi reiterated previous calls that immigrants be selected for their ability to integrate into Italian society, “integration” being chiefly dependent on religious identity.

While some political figures repeated these sentiments, the country’s top leaders spoke otherwise. President Ciampi warned against “drawing the wrong equation between Islam and terrorism.” Senate President Pera visited Rome’s mosque to underline that “Islam isn’t fundamentalism.” In a separate visit to a mosque, Prime Minister Berlusconi spoke out against “criminalizing Islam.” In other parts of the country, city and regional authorities reiterated plans to contribute public funds toward building a mosque for Naples’ growing Muslim immigrant communities. The Campania regional administration has devoted public funds toward the construction of the planned Naples mosque. Government units in the country normally do not provide funds for the construction of places of worship. However, they sometimes do provide public land for their construction, and they help preserve and maintain historic places of worship that shelter much of the country’s artistic and cultural heritage.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### KAZAKHSTAN

The Constitution provides for freedom of religion, and the various religious communities worship largely without government interference; however, the Government’s concerns regarding regional security threats from alleged religious extremists led it to encourage local officials to limit the practice of religion by some nontraditional groups.

There was no change in the overall status of religious freedom during the period covered by this report. Senior government officials below President Nursultan Nazarbayev spoke out on the need to contain religious extremism, and officials at all levels continued to regard religious extremism with concern. In January 2002, the Parliament passed restrictive amendments to the National Religion Law; however, in April 2002, the Constitutional Council ruled that the amendments were unconstitutional. President Nazarbayev chose not to challenge the Council’s ruling. Instances of harassment of religious organizations by local officials increased during the period covered by this report due largely to a February 2001 provision of the Administrative Code requiring religious groups to register. A series of court cases involving local Jehovah’s Witnesses and Baptist congregations sanctioned groups for being unregistered. In late 2001, there were two reports of police beatings in late 2001 targeting members of nontraditional religious groups, one of which resulted in the death of the person. There were credible reports from throughout the country that local law enforcement officials regularly visited religious organizations for inspections.

The generally amicable relationship among religions in society contributed to religious freedom; however, there were reports of instances of interfaith violence directed against members of Jehovah’s Witnesses in Kyzyl-Orda between October 2001 and January 2002.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. In December 2001, Presidents Nazarbayev and Bush issued a joint statement reaffirming “our mutual commitments to advance the rule of law and promote religious freedom and other universal human rights.” The Ambassador and other U.S. officials lobbied intensively against provisions in draft amendments to the Religion Law that would have fallen short of that commitment and international standards for religious freedom. The Embassy sponsored the visit of a United States scholar of Islam to conduct a speaker program regarding the role of Islam in a secular society, as well as a 2-

week visit to the U.S. by leading religious figures to participate in multi-faith events.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has an area of 1,052,540 square miles, and according to unpublished January 2002 estimates of the Agency for Statistics, its population was approximately 14,819,000.

The society is ethnically diverse, and many religions are represented. Ethnic Kazakhs, who constitute approximately one half of the national population, historically are Sunni Muslims of the Hanafi School. Ethnic Uzbeks, Uyghurs, and Tatars, comprising less than 10 percent of the population, also largely are Sunni Hanafi. Other Islamic groups, which account for less than 1 percent of the population, include Shafit Sunni (traditionally practiced by Chechens), Shiite, Sufi, and Akhmadi. Slavs, mostly Russians but also Ukrainians and Belorussians, are by tradition Eastern Orthodox and constitute approximately one-third of the population.

Due to the country's nomadic and Soviet past, many residents describe themselves as nonbelievers. Data from a 1998 government survey suggest that 80 percent of ethnic Kazakhs consider themselves nominally Muslim, while only 60 percent of ethnic Slavs accept the Orthodox Christian designation. The Kazakhstani Association of Sociologists and Political Analysts has estimated that approximately 20 to 25 percent of adults practice a religious faith.

According to government statistics from 2001, evangelical Christian and Baptist congregations outnumber Russian Orthodox. Several other Protestant associations also are represented by more than 50 congregations each, including Lutherans (traditionally practiced by Kazakhstani Germans who still account for approximately 2 percent of the population, despite sizable emigration), Jehovah's Witnesses, and Seventh-Day Adventists.

A small Jewish community, estimated at well below 1 percent of the population, has synagogues in several larger cities. There is a Catholic archdiocese, adherents of which account for a similarly small proportion of the population.

Foreign missionaries are most active in the southern regions of the country and often come from Turkey, Pakistan, and other predominantly Muslim countries. According to government statistics, there were 262 foreign missionaries in the country at the end of 2001; others are present under tourist visas.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the various denominations worship largely without government interference; however, the Government's stated concerns regarding regional security threats from alleged religious extremists led it to encourage local officials to limit the practice of religion by some nontraditional groups. The Constitution defines the country as a secular state.

The National Religion Law, in contrast to laws governing other public associations, does not require religious organizations to register with the Government. It states that all persons are free to practice their religion "alone or together with others." Because the clause makes no reference to registration, legal experts interpret it to ensure the right of members of unregistered groups to practice their religion. However, it does specify that those religious organizations that wish to receive legal status must register. Religious organizations must have legal status in order to buy or rent real property, hire employees, or engage in other legal transactions.

A new Administrative Code, which entered into force in February 2001, allows national and local authorities to suspend the activities or fine the leaders of unregistered religious organizations. Legal experts regard laws and codes to have equal force, but that the more recently enacted takes precedence. Lower courts consistently cited Article 375 of the new Code in sanctioning religious organizations for non registration, but which decisions often were overturned on appeal.

In practice local officials generally insist that religious organizations register at the local level, despite the fact that registration at the national or the oblast level legally is sufficient to obtain the rights that registration offers. Although the law specifies a maximum of 30 days for authorities to complete the registration process, many religious groups have reported delays of several months.

Members of Jehovah's Witnesses reported that they have attempted unsuccessfully to register in Northern Kazakhstan Oblast for 4 years. Their October 2001 application to register in Atyrau Oblast remained pending at the end of the period covered by this report.

The Government maintains that a new National Religion Law would settle any inconsistency with the Administrative Code, and has proposed amendments to the Law several times since 1998, most recently with the introduction of proposed amendments in November 2001, which included registration requirements for religious groups. The Government chose to submit the amendments to the Parliament, which passed them in January 2002, despite several objections raised by international experts and religious organizations. The Government previously responded to similar objections by withdrawing amendments from parliamentary consideration. In April 2002, the Constitutional Council rejected the entire set of amendments after determining that certain provisions contained in them were unconstitutional.

The Constitutional Council specifically ruled that the provision requiring the Muslim Spiritual Association (a national Muslim organization), to approve the registration of any Muslim group violated the constitutional principle separating church and state. The Council also noted more broadly that the amendments might infringe on the constitutional right to spread religious beliefs freely. Other provisions of the amendments that were not ruled specifically unconstitutional included: Requiring that religious organizations be registered; banning "extremist religious associations;" increasing the membership required for registration from 10 to 50 persons; authorizing local officials to suspend the activities of religious groups for criminal violations of 1 or more of their members, or for conducting religious activity outside of the place where they are registered; and requiring that foreign religious organizations be affiliated with a nationally registered organization. Observers have noted that the provisions, which would have restricted religious freedom, were not ruled specifically unconstitutional and could form the basis of a new round of proposed amendments. President Nazarbayev chose not to challenge the Council's ruling; such a challenge would have required the Council to uphold its ruling by a two-thirds vote.

The Government also had proposed amendments to the Religion Law in April 2001; however, it withdrew them from parliamentary consideration in June 2001 after receiving significant international criticism regarding the detrimental effect that the amendments would have on religious freedom and on the Government's international commitments and the Constitution. International experts believe that the amendments introduced in November 2001 were less restrictive, including the amendments on the status of foreign missionaries. If the April 2001 had been passed, foreign missionaries would have been required to receive state accreditation, with criminal penalties for failure to be accredited; however, the November amendments allowed for a much simpler registration procedure for foreign missionaries, with no criminal penalties attached for non-registration.

Neither law nor regulation prohibits foreign missionary activity; however, there is no mechanism governing such activity. In 2001 in anticipation of passage of the amendments to the Religion Law, the Government annulled the previous regulation setting out procedures for the registration of foreign missionaries. Since then there have been widespread reports of inconsistency at the local level regarding the length of validity and cost of visas for foreign missionaries.

Religious organizations receive no tax privileges other than exemptions from taxes on church collections and income from certain religious activities. The Government has donated buildings and provided other assistance for the construction of new mosques, synagogues, and Russian Orthodox churches.

No religious holidays are state holidays.

The Government invited the national leaders of the two largest religious groups, Islam and Russian Orthodoxy, to participate jointly in state events. Some members of other faiths, including Muslims not affiliated with the Muslim Spiritual Association (the national Muslim organization headed by the Mufti), criticized the Government's inclusion of the Mufti and archbishop in state events as official favoritism and a violation of the constitutional separation of church and state. However, leaders of other faiths participated in some events, especially in Almaty.

#### *Restrictions on Religious Freedom*

The Procurator General of the country and the Minister of Interior have called for prohibiting the activities of unregistered religious organizations. Law enforcement authorities conducted inspections of religious groups throughout the country, claiming to do so in order to prevent the development of religious extremism and to ensure that religious groups pay taxes. These inspections also provided the authorities with information about the registration status of the groups being inspected, which in some cases led to suspensions pending the registration of the groups concerned. The National Religion Law does not require religious groups to be registered.

The Government typically claims that religious groups' charters do not meet the requirements of the law when refusing or significantly delaying registration for some religious groups. Often authorities cite discrepancies between Russian and Kazakh language versions of groups' charters or refer charters for expert examination. In addition, because the law does not allow religious groups to engage in educating children without approval from the Ministry of Education, applications for religions whose charters include such activities often are refused.

Representatives of many religious organizations and religious rights observers regard Parliament's passage of restrictive amendments to the National Religion Law in January 2002 as the pretext for local officials to engage in a coordinated campaign of harassment directed at smaller, local religious groups. The representatives claim that local officials began enforcing the new law upon its passage. In April 2002, several provisions were found unconstitutional and the amendments never entered into force.

The national Jehovah's Witnesses Religious Center alleged continuing incidents of harassment by a number of local governments. It claimed that city officials in Astana, Almaty, Ust-Kamenogorsk, Kostanay, Karaganda, Aktubinsk, and Shymkent sometimes blocked the group from renting stadiums or other large public or private sites for religious meetings. The Jehovah's Witnesses are registered nationally, as well as in 12 of the country's 14 oblasts. Also during the period covered by this report, local KNB officials disrupted some meetings in private homes of unregistered groups of Jehovah's Witnesses, Protestants, Adventists, Baptists, and other nontraditional groups throughout the country.

During the period covered by this report, there were several court cases against unregistered local Jehovah's Witness congregations throughout the country, including in the cities of Taraz, Atyrau, and Petropavlovsk, and in several smaller villages. Courts typically ruled that unregistered groups were in violation of the Administrative Code and issued warnings, levied fines of \$50 or less, or suspended the activities of the group. When adequate legal counsel was brought in on appeal, the decisions most often were overturned. In a July 2001 case in Taraz, the prosecutor's office withdrew its protest over the court's ruling in favor of the local Jehovah's Witnesses congregation.

In October 2001, a court in Kyzyl-Orda sentenced a Baptist church pastor, Valery Pak, to 5 days in prison for failing to comply with an April 2000 court order, which had suspended the church's activities until it was registered.

In November 2001, a court in the town of Ayaguz (Eastern Kazakhstan Oblast) convicted Pavel Leonov, a Baptist pastor, for failing to uphold a September 2000 court order requiring his church to register. He was assessed a fine of approximately \$135 (20,575 tenge). Leonov reported that he intended to appeal to the Supreme Court; however, he had not done so by the end of the period covered by this report. Leonov's case was the first known to local religious rights observers that employed a criminal, rather than administrative, charge.

Both of Kyzyl-Orda and Ayaguz Baptist congregations belong to the Council of Churches of Evangelical Christians and Baptists, which has a policy of not seeking or accepting registration in former Soviet countries. Prosecutors also sought to suspend the activities of Baptist churches associated with the Council in Taraz, Serebriansk, and Kazalinsk.

The Government has offered several reasons to justify the need to amend the National Religion Law, including that the passage of a new Constitution in 1995 leaves many aspects of the 1992 Religion Law outside of the constitutional framework. Discrepancies also exist with the Administrative Code of February 2001, which requires religious organizations to register. In addition, the Government maintains that the Religion Law does not address the status of foreign missionaries.

Government officials frequently expressed concerns regarding the potential spread of religious extremism from Afghanistan and other states. The KNB has characterized the fight against "religious extremism" as a top priority of the internal intelligence service and believes that this is grounds to amend the law. The Organization for Security and Cooperation in Europe's (OSCE) Office for Democratic Institutions and Human Rights stated that religious extremism should be addressed by the Criminal Code, and that no restrictive changes to the Religion Law are justified on security grounds. Local religious rights advocates also have made this point in appeals to the Government and maintain that technical discrepancies between the Law and the Constitution exist, but are minor, and are unrelated to the fundamental right of religious freedom.

Foreign missionary activity is not prohibited by law. The Constitution requires foreign religious associations to conduct their activities, including appointing the heads of religious associations, "in coordination with appropriate state institutions." Foreign missionaries legally are entitled to register religious organizations; however,

they generally are required to list a majority of local citizens among the 10 founders of the organization. Other foreign missionaries, unwelcome to some Muslim and Orthodox citizens, have complained of occasional harassment by low-level government officials. In particular, evangelical Protestants working in schools, hospitals, and other social service institutions have alleged government hostility to their efforts to proselytize.

The 2001 annulment of the regulation regulating foreign missionary activity has led to widespread reports of inconsistency in the rules applied to foreign citizens engaged in religious work. Some local jurisdictions continue to register foreign citizens as religious workers; however, in many cases, foreign missionaries conduct their activities on tourist visas. The duration and cost of temporary visas varies by jurisdiction. Obtaining visas often has required foreign missionaries to produce lengthy documentation regarding their affiliated church. Travel agencies have reported difficulty in obtaining ordinary tourist visas for persons whom they say the Government suspects of entering the country to conduct missionary work.

In April 2001, in the city of Aktau, three American citizens were fined \$230 (33,000 tenge) and expelled from the country for alleged religious activity in violation of their visa status. They were ordered to appear in court for violating Articles 394 and 396 of the Administrative Code, for violating the terms of their stay in the country and not complying with the purpose of their registration, as well as violating the rules governing the recruitment and use of foreign workers.

Both the Government and the national Muslim organization deny that there is any official connection between them. However, the Government has proposed several times in the form of amendments to the Religion law, that the organization assume a quasi-official role by determining which Muslim groups be allowed to register with authorities and by approving the construction of new mosques. In April 2002, the Constitutional Council ruled that these provisions of the proposed amendments were unconstitutional. There were reports that the Mufti sent throughout the country, Kazakh-speaking Imams to mosques that served Uyghur and Chechen speaking communities that had no connection to the Mufti's organization.

During the first part of the period covered by this report, media outlets, including some of those most widely distributed, presented as objective news allegations that nontraditional religious groups present a threat to national security and social cohesion. An article on the Baha'i faith and an account of comments attributed to the national Muslim organization were particularly confrontational; however, such news accounts did not appear in the latter part of the period covered by this report.

#### *Abuses of Religious Freedom*

According to local press reports, in October 2001, local KNB officials in Southern Kazakhstan Oblast beat a 21-year-old man to death after they detained him for allegedly belonging to the Hizb ut-Tahrir group. The Government concluded that two KNB officials bore some responsibility for the death and stated that it had released them from their duties; however, no criminal action had been taken by the end of the period covered by this report. Hizb ut-Tahrir advocates the practice of pure Islamic doctrine and the establishment of an Islamic caliphate in Central Asia, and the authorities maintain that Hizb ut-Tahrir is an extremist group. At least three times during the period covered by this report, the authorities detained Hizb ut-Tahrir members for distributing literature. In each instance, the individuals were held in custody for a brief period and then eventually released.

In an unconfirmed report, the Keston Institute alleged that on October 27, 2001, local police threatened and beat Asulbek Nurdanov, a member of the Kyzl-Orda Baptist Church. Following a second session of police questioning in early November 2001, Nurdanov allegedly was committed to a psychiatric hospital for 4 days at the request of his father.

The National Center of the Jehovah's Witnesses reported that on December 11, 2001, a police officer took two of its adherents in the city of Atyrau into custody after they had knocked on the door of his home in the performance of their religious activities. They remained in custody for 7 hours, during which time they reportedly were beaten. While they were in custody, police disrupted a religious activity in their apartment and confiscated religious materials and personal belongings. The National Center of the Jehovah's Witnesses filed a complaint with the city prosecutor 4 days later. The confiscated materials were returned immediately, but no investigation regarding the other allegations had been initiated by the end of the period covered by this report.

The Jehovah's Witnesses alleged that in several villages of the Shiyely District of Kyzl-Orda, local Muslim clergymen incited followers to pressure or assault local members of Jehovah's Witnesses between October 2001 and January 2002. The National Center of the Jehovah's Witnesses claimed that local law enforcement did

nothing to address their many complaints. In March 2002, the State Council on Relations with Religious Communities answered an appeal by instructing members of Jehovah's Witnesses to seek the assistance of local law enforcement. They reported that relatives or other local citizens verbally abused or beat members of their congregation on at least six different occasions. In one of these cases, a follower was forced to renounce his faith and attend regular services at the local mosque.

On January 23, 2002, according to a report by the Keston News Service, Tursunbay Auelbekov, a Baptist in the southern town of Turkestan, was arrested while distributing religious literature in a public area. Prosecutors maintained that his activity was illegal because the Baptists in Turkestan are not registered; however, they decided not to press charges, citing Auelbekov's poor health. Auelbekov's church is affiliated with the Association of Evangelical-Christian Baptists, which is registered in the oblast.

According to an unconfirmed press report, Kulsary prosecutor Hagibula Kasymov threatened to jail Kurmangazy Abdumuratov and Askhat Alimkhanov, leaders of the Iman Kazakhstan Baptist Church, if their church continued to meet without registering. Religious freedom activists were not aware of the two subsequently being jailed. In May 2001, prosecutors had required them to stop meeting. The church claimed that the church did not have the minimum of 10 members registration requires under the law.

In April 2002, regional authorities raided an unregistered farm run by the Society for Krishna Consciousness in the village of Yeltay, in Almaty Oblast. Tax, immigration, fire, and health and hygiene officials all were involved in the inspection. Police confiscated the passports of 15 foreign members of the community, 5 of whom were sentenced to deportation at a May 2002 local court hearing, at which no charges were stated and the lawyers for the accused were not permitted to speak. In early June 2002, the Hare Krishnas appealed the deportations and the court also levied fines against three other members. Leaders of the Krishna Center, registered in Almaty City, alleged that the authorities arrived for the April inspection with television camera crews and then ordered the stations to report on the raid. In one television report, the Krishnas were described as extremists and criminals. On May 18, 2002, the Krishnas' application for registration in Almaty Oblast was approved, after an 8-month delay.

There were no reports of the prolonged detention of members of religious organizations for proselytizing. On occasion the authorities took action against groups engaged in proselytizing; however, such actions were limited to the confiscation of religious literature and brief detentions.

Other than the brief detentions of a Baptist pastor in Kyzl-Orda and a Baptist adherent in Turkestan, two members of Jehovah's Witnesses in Atyrau, and Hizb ut-Tahrir members in Kentau (Southern Kazakhstan Oblast) and Almaty, there were no reports of religious prisoners or detainees.

#### *Forced Religious Conversions*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

In September 2001, President Nazarbayev supported a trip by the Pope to the country, which included meetings with the Government, diplomats, leading clerics, and academia. The Pope celebrated an outdoor Mass which was aired on national television and radio channels, to a crowd of 50,000 persons. In a speech following the Mass, President Nazarbayev highlighted the religious diversity of the country and remarked that "we should not link terrorism with a nation or a religion."

In 2002 the Government donated land for the construction of a synagogue in the new capital, Astana. In May 2002, government representatives attended the groundbreaking ceremony. In September 2001, a synagogue opened in the city of Pavlodar, also on land the Government had donated.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. The country is multiethnic, with a long tradition of tolerance and secularism. Since independence the number of mosques and churches has increased greatly.

Members of Jehovah's Witnesses cited several examples of interfaith discord in the Shiyely District of Kyzl-Orda, where they allege local Muslim clergy incited their followers to attack local members of Jehovah's Witnesses.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. In December 2001, Presidents Bush and Nazarbayev released a joint statement during President Nazarbayev's visit to the United States, reiterating "our mutual commitments to advance the rule of law and promote religious freedom and other universal human rights.." The U.S. Ambassador and other Embassy officers are proactive in reminding government officials of these commitments. The Embassy's human rights officer maintains contact with a broad range of religious communities and reports on instances of violations of their constitutional and human rights.

The Ambassador, other Embassy officers, senior State Department officials, and the U.S. Congressional Commission on Security and Cooperation in Europe were involved heavily in lobbying the Government against the latest round of draft amendments to the National Religion Law, proposed in November 2001 (See Section II). The Ambassador raised the issue with the Minister Foreign of Foreign Affairs; the Minister of Culture, Information, and Public Accord; and several other senior government officials, both during the parliamentary debate and after passage. As during the period covered by the previous report, the Embassy worked closely with the OSCE Center in Almaty to facilitate expert analysis of the proposed legislation.

The Ambassador pressed government officials to investigate the apparent death by torture, of a Muslim in the South in October 2001. The subsequent investigation resulted in the dismissal of two employees of the KNB in Turkestan, though no criminal proceedings had been initiated by the end of the period covered by this report.

In November 2001, the Embassy sponsored a 5-day visit of a U.S. academic expert on Islam to conduct a series of programs on the role of Islam in a secular society. The scholar met with religious, academic, and NGO leaders; lectured at universities in Almaty, Astana, and Taraz in the South; and conducted an interview for radio broadcast.

In December 2001, the Embassy sponsored the visit to the United States of the director of the State Council on Relations with Religious Organizations, the head of a local NGO working on issues of religious freedom, and an Imam representing the Spiritual Administration of Muslims. The program of the visit included meetings with U.S. government officials, academics, NGO leaders, and representatives of multiple U.S. religious organizations.

In May 2002, the Ambassador spoke at the groundbreaking ceremony for a new synagogue in Astana.

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**KYRGYZ REPUBLIC**

The Constitution and the law provide for freedom of religion, and the Government generally respects this right in practice; however, the Government restricts the activities of radical Islamic groups that it considers to be threats to national stability. The Constitution provides for a secular state and the separation of church and state, and the Government does not support any one religion.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government continued steps to monitor and restrict Islamist groups that it considers to be a threat to the country.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 76,600 square miles, and its population is approximately 5 million. The latest official statistical data from the 1999 census reflected the following ethnic breakdown of the population: 64.9 percent were Kyrgyz, 13.8 percent were Uzbeks, 12.5 percent were Russians, 1.1 percent were Dungans (ethnic Chinese Muslims), 1 percent were Uighurs; 0.9 percent were Tatars, and 0.4 percent were Germans.

Islam is the most widely practiced faith. Official sources estimate that up to 80 percent of the inhabitants are Muslims. The majority of Muslims are Sunni and there are only a few Shi'a (approximately 1,000). According to the State Commission on Religious Affairs (SCRA), as of June 2002 there were an estimated 1,338 mosques in the country, of which 931 are registered. There also are two institutes

for higher Islamic teaching. A Soviet-era estimate found that approximately 17 percent of the population were Russian Orthodox; there are no official post-independence figures. The country has 43 Russian Orthodox churches, and 1 Russian Orthodox monastery. The Seventh-Day Adventist Church operates six churches in Bishkek, as well as several elsewhere in the country. Jews, Buddhists, and Catholics account for approximately 3 percent of the population, and their adherents practice their religions openly in churches, temples, and synagogues. In addition, there are: 151 registered Protestant houses of worship, 13 registered Baha'i houses of worship, 2 Buddhist temples, 1 Catholic church, and 1 Jewish synagogue. The Roman Catholic Church in Bishkek functions freely, and a small Jewish congregation meets in Bishkek. The Jewish congregation organizes informal cultural studies and humanitarian services, chiefly food assistance for its elderly. There also are examples of syncretistic religious practices. Most notably, there is a Baptist church in the Naryn region whose followers are predominantly ethnic Kyrgyz. While they worship as Christians, they have incorporated Muslim modes of prayer into their Christian rituals. There is no official estimate of the number of atheists in the population.

Islam is practiced widely throughout the country in both the urban and rural areas. Russian Orthodoxy typically is concentrated in the cities in which a larger ethnic Russian population exists. The other faiths also are practiced more commonly in the cities where their smaller communities tend to be concentrated. There is a correlation between ethnicity and religion; ethnic Kyrgyz primarily are Muslims, while ethnic Russians usually belong to either the Russian Orthodox Church or one of the Western origin denominations. Exact statistics are not available, but while the majority of the population claims to follow Islam, a significant number of these adherents appear to be only nominal believers and identify with the faith out of historical or ethnic allegiance. A significant number of the followers of the Russian Orthodox Church also appear to be only nominal believers.

A number of missionary groups operate in the country. The SCRA has registered missionaries from the Republic of Korea, the United States, Germany, Turkey, Pakistan, and Saudi Arabia. They represent a variety of religious groups including Islam, Jehovah's Witnesses, the Unified Church of Christ of Evangelists, and Korean Presbyterians.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution and the law provide for freedom of religion, and the Government generally respects this right; however, the Government restricted this right in practice, in particular for Islamic groups it considered to be a threat to the country. The Constitution provides for a secular state and for the separation of church and state, and the Government does not support any one religion.

The SCRA promotes religious tolerance, protects freedom of conscience, and oversees laws on religion. A 1997 Presidential Decree governs the registration of religious organizations, and according to the decree, all religious organizations that must register with the SCRA, which in turn must recognize the registrant as a religious organization. Each congregation must register separately. A religious organization then must complete the registration process with the Ministry of Justice in order to obtain status as a legal entity, which is necessary to own property, open bank accounts, and otherwise engage in contractual activities. If a religious organization engages in commercial activity, it is required to pay taxes in accordance with the tax code. In practice the Ministry never has registered a religious organization without prior registration by the SCRA. The registration process often is cumbersome, taking 1 month on average. The SCRA claims that it has refused registration to only one organization, the Russian Overseas Church. The refusal came after a court held that the Church was not a religious organization.

According to the SCRA, there are more than 300 registered religious groups, of which 208 are Christian. In the past, several religious organizations, including the Catholic Church, have reported difficulty registering with the SCRA. Almost all eventually registered, although sometimes after a lengthy delay. As many as 55 small Christian churches that were having difficulty in 2001 were able to complete registration by the end of the period covered by this report.

The country's Roman Catholic Church, approximately 80 percent of whose members are citizens, remains an unregistered foreign religious organization in the country despite the efforts of the Roman Catholic mission to register with the SCRA. The Roman Catholic Church in Bishkek first attained legal status under Soviet law in 1969; however, the SCRA notified the church that it would have to reregister as a foreign religion in the country after the issuance of Presidential Decree 319 in 1996. The Holy See established the Catholic Mission in the country in 1997, and a rep-

representative from the Vatican visited the country in 2001 to meet with SCRA members on behalf of registration. In February 2002 the SCRA approved the Catholic Mission's application for registration; however, the Ministry of Justice had failed to take any action to register the Mission by the end of the period covered by this report. The Unification Church, which is registered as a social, rather than a religious, organization, has "semiofficial" status. According to the SCRA, the Unification Church has not applied for registration as a religious organization. However, an affiliated organization is registered as a nongovernmental organization (NGO).

Missionary groups of a variety of faiths operate freely, although they are required to register with the Government.

The Government expressly forbids the teaching of religion (or atheism) in public schools. In April 2001, the Government instructed the SCRA to draw up programs for training clergy and to prepare methodologies for the teaching of religion in public schools. These instructions came in response to concerns about the spread of "Wahhabism" and "unconventional religious sects." The SCRA turned to a number of religious organizations for their ideas on introducing religious education in schools. The reaction of the organizations generally was negative. The groups preferred to retain responsibility for the religious education of their adherents. While the SCRA continued to work on the development of a religious education program, no action had been taken to implement it by the end of the period covered by this report.

The Government recognizes three Muslim holidays (Noorus, Kurban Ait, and Orozo Ait) and one Russian Orthodox holiday (Christmas, which is observed on January 7 in accordance with the Russian Orthodox calendar) as national holidays. The President and the Government send greetings to the followers of the Muslim and Orthodox faiths on their major religious holidays, and the greetings are printed in the mass media.

The Government works through the SCRA to promote interfaith dialog and encourage religious tolerance. The SCRA hosts meetings of religious groups to bring the faiths together in open forums. The SCRA assists various faiths in working together on programs for the protection of the poor and the elderly. In February 2002, the SCRA and the Organization for Security and Cooperation in Europe (OSCE) cohosted a regional conference on religious tolerance in the southern city of Jalal-Abad.

Since March 2001, the Government has worked with representatives of various religious faiths and NGO's on a draft law on religion. The draft law "On Freedom of Conscience and Religious Organizations" ostensibly is a response to concerns about terrorism and other illegal activities committed by groups disguising themselves as religious organizations. The initial draft included compulsory registration of religious bodies, a prohibition against unregistered religious activity, the lack of an alternative to military service, and tight control over religious activity deemed "destructive." The Parliament worked with the OSCE to revise the draft law in an effort to ensure that it respected the Government's OSCE obligations and would allow free practice of religion by all faiths, because OSCE comments on an earlier draft found that several of the law's points were inconsistent with OSCE commitments. At the end of the period covered by this report, the draft law was being revised to tighten regulations on missionary activities, and the current redraft of the law remained incomplete at the end of the period covered by this report. Representatives of the religious communities remain cautious and there is concern that some Muslim believers could be labeled extremists under this law. In April 2002, the Central Asian Eparchy of the Russian Orthodox Church issued a statement strongly opposing the draft law, warning that its passage would result in a flood of foreign missionaries.

#### *Restrictions on Religious Freedom*

The Government is concerned about the threat of political Islam, whose followers (Islamists) it labels "Wahhabis." The Government perceives Islamists to be a threat to national stability, particularly in the southern part of the country, and fears that Islamists seek to overthrow the secular government and establish an Islamic theocracy. Armed incursions of Islamic militants in 1999 and 2000 by members of the Islamic Movement of Uzbekistan (IMU), a terrorist organization, increased the Government's concern regarding political Islam and the actions of its followers, particularly militant Islamic groups. Presidential Decree Number 319 states that a religious organization may be denied registration or its registration may be suspended if the organization's activities do not comply with the law or is dangerous to state security, social stability, inter-ethnic and inter-confessional relations, or the health and morals of citizens. Such suspensions or refusals of a religious organization's registration are subject to judicial appeal. There were no reports of such suspensions

during the period covered by this report. In May 2001, the Procurator General proposed amending the Criminal Code to include tougher sentences for those convicted of “religious extremism.” During the period covered by this report, the Government continued to express public concern about groups that it viewed as extremist with either radical religious or political agendas.

The Islamist organization Hizb ut-Tahrir, mainly active in the southern part of the country, is not registered with the Government and is considered to be an illegal organization.

In early April 2001, the local press quoted then-Prime Minister Bakiyev’s call for increased monitoring of mosques and schools in order to prevent such institutions from becoming a source of Islamic extremist activity. However, there were no reports of increased monitoring during the period covered by this report.

In January 2002, the Government issued a decree imposing strict control on printing activities, ostensibly to control the spread of Islamic extremist leaflets. The Decree also required the SCRA to issue a report listing all registered religious organizations and to create an inventory of houses of worship. The President rescinded the decree in May 2002 after protests by local and international media, human rights NGO’s, and other organizations.

Religious leaders note with concern that the SCRA frequently uses the term national security in its statements. Law enforcement authorities, including the Ministry of Internal Affairs (MVD) and the National Security Service (SNB), often play a role in investigating religious organizations and resolving inter religious disputes.

A Christian group in a village outside of Bishkek reported that in September 2001, village elders said that “Christianity is not allowed in the Kyrgyz Republic,” called for the expulsion of Christian converts from the village, and dismissed one Church member from the village educational council. In the southern village of Suzak, village elders called for the expulsion of four former Muslims who had converted to evangelical Christianity.

#### *Abuses of Religious Freedom*

The arrest and prosecution of persons accused of possessing and distributing literature of Hizb ut-Tahrir increased during 2001 and early 2002. Most arrests occurred in the south and involved ethnic Uzbeks. Those arrested typically were charged with violation of Article 299 of the Criminal Code, which prohibits the distribution of literature inciting ethnic, racial, or religious hatred. Figures for arrests of alleged Hizb ut-Tahrir activities vary depending on the source. According to the International Crisis Group (ICG), which monitors Hizb ut-Tahrir in the south, during 2001 police detained 49 persons in Osh Oblast and 86 persons in Jalal-Abad Oblast for membership in the Hizb ut-Tahrir organization and for distribution of its literature. Of those arrested in Osh Oblast, the Government brought criminal charges against 30 persons. The ICG estimated that the number of prosecutions in Jalal-Abad Oblast was approximately the same. The SNB reported that there were 117 arrests of Hizb ut-Tahrir members in Jalal-Abad Oblast in 2001.

In 2000 Amnesty International reported the arrest and illegal deportation to China of Jelil Turadi, an ethnic Uighur Chinese national. Unofficial sources reported that Turadi was arrested allegedly for possessing “Wahhabist” literature and was handed over to Chinese security agents in Bishkek. Turadi’s fate remains unknown.

There were no other reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Members of the two major religions, Islam and the Russian Orthodox Church, respect each other’s major holidays and exchange holiday greetings.

There is no evidence of widespread societal discrimination or violence against members of different religious groups. However, there is evidence of periodic tension in rural areas between conservative Muslims and foreign missionaries and individuals from traditionally Muslim ethnic groups who convert to other faiths. In April 2002, Muslim villagers in eastern IssykKul Oblast refused to allow the burial in the local cemetery of a former Muslim who had converted to Christianity. Similar incidents also were reported in Chui and Naryn Oblasts. In subsequent press releases, both Muslim and Russian Orthodox spiritual leaders responded with criticism of the

proselytizing activities of nontraditional Christian groups, while the Chairman of the SCRA called for tolerance on all sides.

In March 2002, members of the country's Jewish Cultural Society reported that they had heard calls for violence against Jews issued in Russian and Kyrgyz from a loudspeaker at a mosque in central Bishkek. According to the Israeli Embassy in Almaty, the Government is investigating.

In January 2001, there was a standoff in the village of Kurkol between local villagers and ethnic Uzbek Jehovah's Witnesses. The standoff occurred when the villagers demanded that the four Uzbeks either reconvert to Islam or leave the village. The incident was resolved peacefully by the Ministry of Interior and the Security Service. There were no reports of incidents between local villagers and ethnic Uzbek Jehovah's Witnesses during the period covered by this report.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

During the period covered by this report, the U.S. Embassy continued to monitor the progress of the draft law on religion and maintained contact with government officials with regard to religious affairs.

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### LATVIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion; however, bureaucratic problems persist for some minority religions.

The generally amicable relations among religions in society contributed to religious freedom; however, lingering suspicions remain towards newer nontraditional faiths.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 25,000 square miles, and its population is estimated at 2.4 million. The three largest faiths are Catholicism, Lutheranism, and Orthodox Christianity. No precise denomination membership statistics are available. Sizeable religious minorities include Baptists, Pentecostals, and various evangelical Protestant groups. The once large Jewish community was virtually destroyed in the Holocaust during the 1941-44 German occupation and now totals only an estimated 6,000 persons.

As of May 2002, the Justice Ministry had registered more than 1,000 congregations. This total included: Lutheran (309), Roman Catholic (251), Orthodox (114), Baptist (89), Old Believer Orthodox (67), Seventh-Day Adventist (46), Jehovah's Witnesses (10), Methodists (12), Jewish (7), Buddhist (4), Muslim (7), Hare Krishna (10), Church of Jesus Christ of Latter-Day Saints (Mormons) (3), and more than 100 others.

Interest in religion has increased markedly since independence. However, a large percentage of these adherents do not practice their faith regularly. Churches have provided the following estimates of church membership to the Justice Ministry: Lutherans (400,000), Roman Catholic (500,000), Orthodox (300,000), Baptist (6,000), Old Believer Orthodox (70,000), Seventh-Day Adventist (4,000), Jehovah's Witnesses (2,000), Methodists (500), Jewish (6,000), Buddhist (100), Muslim (300), Hare Krishna (500), and Mormons (2,000). There are significant numbers of atheists, perhaps a majority of the population. Orthodox Christians, many of them Russian-speaking, non-citizen, permanent residents, are concentrated in the major cities, while many Catholics live in the east.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. However, bureaucratic problems persist for some minority religions. There is no state religion; however, the Government distinguishes

between “traditional” (Lutheran, Roman Catholic, Orthodox, Old Believers, Baptists, and Jewish) and “new” religions.

Although the Government does not require the registration of religious groups, the 1995 Law on Religious Organizations accords religious organizations certain rights and privileges when they register, such as status as a separate legal entity for owning property or other financial transactions, as well as tax benefits for donors. Registration also eases the rules for public gatherings.

According to the Law on Religious Organizations, any 10 citizens or permanent residents over the age of 18 may apply to register a church. Asylum seekers, foreign Embassy staff, and those in the country temporarily in a special status may not register a religious organization. Congregations functioning in the country for the first time that do not belong to a church association already registered must reregister each year for 10 years. Ten or more congregations of the same denomination and with permanent registration status may form a religious association. Only churches with religious association status may establish theological schools or monasteries. A decision to register a church is made by the Minister of Justice. According to Ministry of Justice officials, most registration applications are approved eventually once proper documents are submitted; however, the law does not permit the simultaneous registration of more than one religious union (church) in a single confession, and the Government occasionally denies applications on this basis.

Property restitution has been completed substantially. The status of the remaining properties is unclear and is the subject of complicated legal and bureaucratic processes.

Citizens’ passports indicate the ethnicity of the bearer. For example, Jews are considered an ethnic group and are listed as such rather than as Latvian or Russian.

December 25 is celebrated as Christmas and is a recognized national holiday. Good Friday and Easter Monday also are national holidays.

The Latvian Lutheran Church established its own clergy education center, the Luther Academy in Riga, in 1998. The Roman Catholic Church also has its own seminary. The University of Latvia’s theological faculty is nondenominational.

There is a New Religions Consultative Council whose membership consists of doctors, academics, and the independent human rights ombudsman. The Council, which meets on an “ad hoc” basis, can research and write opinions on specific issues, but has no decision-making authority. There also is a Traditional Religion Council, which meets monthly. This body reportedly aims at facilitating greater ecumenical communication, discussing matters of common concern, and improving dialog between the traditional faiths and the Government.

#### *Restrictions on Religious Freedom*

Problems arise and registration is denied because the Law on Religious Organizations does not permit simultaneous registration of more than one religious union (church) in a single confession, and the Government occasionally denies groups registration. Because of this provision, the Government does not register any splinter groups, including an independent Jewish congregation, the Latvian Free Orthodox Church, and a separate Old Believers group.

Visa regulations effective since 1999 require religious workers to present either an ordination certificate or evidence of religious education that corresponds to a Latvian bachelor’s degree in theology. The visa application process still is cumbersome. While the Government generally was cooperative in assisting to resolve difficult visa cases in favor of missionary workers, problems still persist. In June 2002, an American religious worker successfully appealed a visa denial; however, that decision later was overturned through a government appeal.

Foreign evangelists and missionaries, including from the United States, are permitted to hold meetings and to proselytize, but the law stipulates that only domestic religious organizations may invite them to conduct such activities. Foreign religious denominations have criticized this provision.

The Law on Religious Organizations stipulates that religion may be taught to students in public schools on a voluntary basis only by representatives of Evangelical Lutheran, Roman Catholic, Orthodox, Old Believer, Baptist, and Jewish religions. The Government provides funds for this education. Students at state supported national minority schools also may receive education on the religion “characteristic of the national minority” on a voluntary basis. Other denominations may provide religious education in private schools only.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Relations between the various religious communities are generally amicable. Ecumenism still is a new concept in the country, and traditional religions have adopted a distinctly reserved attitude towards the concept. Although government officials encourage a broader understanding of and acceptance of newer religions, suspicions remain towards newer nontraditional faiths.

The Latvian Historical Commission, under the sponsorship of President Vaira Vike-Freiberga, has continued to promote Holocaust awareness throughout all elements of Society. In December 2001, President Vike-Freiberga dedicated a memorial to Holocaust victims in a Riga suburb.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

During the period covered by this report, the U.S. Embassy worked to support the principle of religious freedom by engaging in regular exchanges with appropriate government bodies, including the Director of the Office of Religious Affairs, human rights nongovernmental organizations, and representatives of various religious confessions, including missionaries. The Embassy's Consular Section also held regular discussions with local immigration authorities and section meetings with the Department of Religious Affairs.

The Embassy actively supports the Latvian Historical Commission. It has funded the travel of Latvian scholars to the United States for education in ethnic and religious tolerance and of U.S. experts to Latvia for Historical Commission activities. The Embassy also sponsored a series of academic exchanges and lectures on Holocaust issues.

Embassy officials maintain an open and productive dialog with the Government's Director of the Office of Religious Affairs. Embassy officials also meet regularly with visiting missionary groups as well as representatives of different religious confessions, both Latvian and foreign. Problems that members of certain minority religions have experienced at the Citizenship and Migration Department when seeking visas and residency permits often are discussed. For example, in June 2002, an American religious worker successfully appealed a visa denial; however, that decision later was overturned through a government appeal. The Embassy was working with the Government to resolve this issue at the end of the period covered by this report.

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**LIECHTENSTEIN**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Roman Catholic Church is the official state church.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 61.7 square miles, and a total population of 32,883 (as of December 31, 2000, according to the Office of the National Economy). There are 25,362 Roman Catholics, 2,306 Protestants, 1,197 Muslims, 242 Eastern Orthodox, 58 Buddhists, 30 members of Jehovah's Witnesses, 12 Anglicans, 16 Jews, 12 Baha'is, 10 New Apostolics, 6 members of other religions, and 3,350 persons who were undecided.

There are no significant foreign missionary groups in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of creed and conscience, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Criminal Code prohibits any form of discrimination, or debasement of any religion or any of its adherents. The Constitution establishes the Catholic Church as the official state church.

Church funding comes from the general budget, as decided by Parliament, and is not a direct "tithe" paid by the citizens. The Government gives money not only to the Catholic Church but also to other denominations. The budget is allocated proportionately according to membership numbers. The Roman Catholic Church's finances are integrated directly into the budgets of the national and local governments. The Catholic Church receives approximately \$190,000 (300,000 Swiss francs) per year, plus additional sums from the 11 communes. The relationship between the State and the Roman Catholic Church is being redefined. Under an interim regulation of December 1998, the state contributions to the Catholic Church temporarily had been paid into a blocked special account to be released when a new agreement was reached. The 1998 regulation expired on January 1, 2002, before a consensus had been reached. Therefore, the Church again is entitled to the State's annual contributions under the terms of a 1987 law. The Government missed its self imposed 2002 deadline because it wanted to allow additional time to find the widest possible consensus on the redefinition of the relationship between the State and the Catholic Church. The State's financial contributions for 1999, 2000, and 2001 have been paid out to the Church. All religious groups enjoy tax-exempt status.

There are no significant foreign missionary groups in the country. In order to receive a religious-worker visa, an applicant must demonstrate that the host organization is important for the entire country. An applicant must have completed theological studies and be accredited with an acknowledged order. Visa requests normally are not denied and are processed in the same manner as requests from other individuals or workers.

Roman Catholic or Protestant religious education is compulsory in all schools, but the authorities routinely grant exemptions for children whose parents so request. Both religions typically are taught separately but simultaneously in primary and secondary schools, normally 2 hours per week.

The Government collaborates with religious institutions by supporting interfaith dialogs and providing adult education courses in religion, as well as other subjects.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

There are amicable relations between the religious communities. Catholics, Protestants, and members of other faiths work well together on an ecumenical basis. Differences among religious faiths are not a significant source of tension in society.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**LITHUANIA**

The Constitution provides for freedom of religion except in cases where religious activities contradict the Constitution and the law, and the Government generally respects this right in practice. There is no state religion; however, some religious groups enjoy government benefits not available to others. Nontraditional religious groups face some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report.

There are generally amicable relations among the various religious communities, although members of religious minorities occasionally are subject to acts of intolerance. A certain level of anti-Semitic sentiment persists in the country.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has an area of 25,174 square miles, and its population is approximately 3.5 million. The 2001 population census indicated that approximately 79 percent of the inhabitants consider themselves to be Roman Catholics; there were a reported 673 Catholic communities in 2000. The second largest religious group is the Orthodox Church (141,000 members and 43 communities), concentrated in the east, along the border with Belarus. The "Old Believers" number 27,000 and have 27 communities. An estimated 19,500 Lutherans (54 communities) are concentrated to the southwest. The Evangelical Reformed community has approximately 7,000 members in 12 communities. The 5 Sunni Muslim communities number approximately 2,700 members, while the Greek Catholic community has approximately 300 members. The Jewish community numbers approximately 4,000 (6 Jewish religious communities have 1,200 members). An estimated 9.4 percent of the population does not identify with any religious denomination.

Karaites, while not unique to the country, exist in few other locations in the world. They are considered by some to be a branch of Judaism; their religion is based exclusively on the Old Testament. Two houses of worship in Vilnius and Trakai serve the Karaite religious community of approximately 250 members. The Karaites have been in the country since 1397. Considered as well to constitute a distinct ethnic group, Karaites speak a Turkic-based language and use the Hebrew alphabet. Their community president also is their only religious leader.

The Chabad Lubavich, a Hassidic Jewish group, operates a school (kindergarten through 12th grade), a social center, and a kosher kitchen in the capital of Vilnius.

Approximately 0.23 percent of the population belong to what the Government refers to as "nontraditional" religious communities. The most numerous are the Full Gospel Word of Faith Movement, Pentecostals/Charismatics, New Apostolic Church, Jehovah's Witnesses, Baptists, and Seventh-Day Adventists. According to the Ministry of Justice, a total of 967 traditional and 184 nontraditional religious associations and communities are registered.

Foreign missionary groups, including Baptists, The Church of Jesus Christ of Latter-Day Saints (Mormons), and members of Jehovah's Witnesses, also are active in the country.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

The Constitution provides that a person's freedom to profess and propagate his or her religion or faith "may be subject only to those limitations prescribed by law and only when such restrictions are necessary to protect the safety of society, public order, a person's health or morals, or the fundamental rights and freedoms of others." The religious teachings of churches and other religious organizations, their religious activities, and their houses of prayer may not be used for purposes that contradict the Constitution and the law. The freedom of expression of religious conviction also may be restricted temporarily during a period of martial law or a state of emergency. None of the limitations specified in the Constitution has been invoked. There is no state religion. However, under the 1995 Law on Religious Communities and Associations, some religious groups enjoy government benefits not available to others.

The Constitution divides religious communities into state recognized traditional groups and others. However, in practice a four-tier system exists: traditional, state recognized, registered, and unregistered communities.

Traditional religious communities and associations are not required to register their bylaws with the Ministry of Justice in order to receive legal status. However, nontraditional religious communities must present an application, a founding statement signed by no less than 15 members who are adult citizens of the country, and a description of their religious teachings and their aims. The Ministry must review the documents within 6 months.

The law stipulates that nontraditional religious communities may be granted state recognition if they are “backed by society” and have been registered in the country for at least 25 years. Both traditional and state recognized communities can receive state subsidies; however, only the traditional ones receive the subsidy regularly. The law grants property rights for prayer houses, homes, and other buildings to religious communities, associations, and centers, and permits construction that is necessary for their activities. These traditional associations and communities receive annual financial support from the Government. Other religious communities are not eligible for regular financial assistance from the Government; however, they may receive government support for their cultural and social projects.

The law specifies nine religious communities that have been declared “traditional” and therefore are eligible for governmental assistance. They are Latin Rite Catholics, Greek Rite Catholics, Evangelical Lutherans, Evangelical Reformed Church members, Orthodox Christians (Moscow Patriarchate), Old Believers, Jews, Sunni Muslims, and Karaites. They do not have to pay social and health insurance for clergy and other employees; they can register marriages; and they are not subject to a value added tax (VAT) on such services as electricity, telephone, and heat. However, only traditional communities have the right to teach religion in state schools and buy land to build churches (other communities may rent it). Only their clergy and theological students are exempt from military service, and only their top religious leaders are eligible for diplomatic passports. They also may have military chaplains. In addition, they have the right to establish subsidiary institutions.

Religious communities registered by the Ministry of Justice constitute the third status group; they do not receive regular subsidies, tax exemptions, social benefits, or military exemptions enjoyed by traditional and state recognized communities but can act as legal entities and thus rent land for religious buildings.

Unregistered communities have no juridical status or state privileges, but there were no reports that any such groups were prevented from worshipping or seeking members.

There is no separate government agency addressing religious groups; a small department in the Ministry of Justice handles requests of religious groups for registration. In November 2001, the Government reestablished the position of advisor for religious affairs, which it had abolished in March 2001, and appointed a person designated by the Catholic Church. The former advisor admitted in a public interview that the Catholic Lithuanian Bishops’ Conference had proposed his candidacy. The decision to abolish the position had contributed to a more evenhanded approach to religious matters; however, some observers believe that its reestablishment may benefit the Catholic Church more than other religions.

In 2000 after reviewing an appeal by several members of Parliament, the Constitutional Court confirmed the principle of separation between church and state in the sphere of education. The Court ruled that in state educational institutions, classes or groups may not be co-established with state-recognized traditional religious associations. The Court also ruled that if either public or private educational establishments are sponsored jointly by a state institution and a religious group, the group may not set any religious test for employment of staff not connected with religious instruction. Finally, the Court ruled that the heads of state educational establishments could not be appointed and dismissed by government institutions on the recommendation of a religious association. The Catholic Church criticized the Court’s ruling.

In 2000 the Government and the Holy See agreed to establish a military Ordinariat to provide religious support to Catholic members of the military service in the form of military chaplains. The Ministry of Defense provides material support for the Ordinariat and its places of worship. Other traditional churches and religious groups also can provide religious support to the military services. Alternative military service within military structures is available, but there is no option for alternative nonmilitary service, as requested by members of Jehovah’s Witnesses.

In August 2000, three agreements between the Government and the Holy See took effect: “On Cooperation in the Sphere of Education and Culture,” “On Spiritual Guidance of Catholics Serving in the Military,” and “On Legal Aspects of Relations Between the Catholic Church and the State.” The last of these agreements established Assumption Day (August 15) as a national holiday, in addition to the previously established holidays of St. Mary’s celebration (January 1), Easter Monday, All Saint’s Day (November 1), Christmas, and Boxing Day (December 26). The list of holidays can be changed by agreement of both sides. There were no reports of formal complaints that these agreements adversely affect religious freedom for the adherents of other religions.

*Restrictions on Religious Freedom*

Nontraditional religious communities must submit an application and supporting documents to the Ministry of Justice in order to receive legal status. Since 1995 the Ministry of Justice has turned down two applications, those of the Osho Ojas Meditation Center and the Lithuanian Pagans Community (Old Sorcerer). In 1995 the Old Sorcerer community brought a case against the Ministry of Justice over registration but lost its case in the spring of 2002. Both were rejected because the authorities concluded that these groups were nonreligious. They were advised to register as nongovernmental organizations (NGO's) instead.

The operations of foreign missionary groups within the country are not restricted. Most of the problems related to procedures for residency permits for religious workers (enacted by law in 1999) had been resolved by mid-2001.

According to the Constitution, state and local teaching and education establishments are secular. The law provides that only religious instruction of traditional and other state recognized religious communities may be taught in state educational institutions. At the request of parents from these communities, schools can offer classes in religious instruction. In practice parents can choose classes in religious instruction or classes in ethics for non-religious education. The Government is obliged by law to finance religious instruction (of traditional confessions only) in state schools, and to fund fully schools of traditional religious groups and schools cofounded with traditional religious groups. In addition, the Government may, and often does, support schools run by nontraditional religious groups, who have the right to establish private schools and receive partial state funding.

Since September 2001, amendments to the Law on Religious Communities and Associations have granted full government funding only to the educational institutions of traditional religious organizations. The governmental Department of European Law had criticized the amendments for discriminating against traditional religious communities and associations. The Department implied that although the Government has the right to provide different legal statuses for different religious communities, differences in status should not result in differences in rights and privileges.

In 2001 the Word of Faith Church (a charismatic Protestant Church) complained that Vilnius County and district authorities refused to reregister a private school established by the Church. The problem emerged when the school, which operates under a license issued by the Education and Science Ministry, relocated in 1999 from Vilnius city to Vilnius county. The community appealed to the court and was reregistered in February 2002; however, its pupils did not receive vouchers, which are used to finance school programs. The school appealed the decision to the Education Ministry and expected to receive vouchers in the fall of 2002.

The law grants all religious communities equal opportunity in regaining control over former property used for conducting religious services. However, the Catholic community has been more successful in regaining its property than many other religious communities. Some religious property, including 26 synagogues, was returned to the Jewish community, mostly from 1993 to 1996. The deadline for filing claims from Soviet times (July 1940) passed in March 1996. A number of claims successfully were resolved, and others still were pending. Lack of funds for compensation and protracted bureaucratic obstacles are the primary problems preventing the return of private property. The Government has taken no action on the problem of restoring property of religious institutions that no longer exist and has no plans to do so.

In early 2002, the Government established a commission on communal property restitution to identify communal property eligible for restitution and propose amendments to the law on restituting property to religious communities so that the Jewish secular community (the majority of Jewish citizens) can benefit from the restitution process. The Government and city of Vilnius also established a procedure for rebuilding parts of the Jewish quarter in Vilnius Old Town. The project was expected to use private funds and give the Jewish community parts of the reconstructed buildings.

In spring 2002, the Supreme Court ruled in favor of an appeal by the Evangelical Lutheran Church of the April 2001 Vilnius First District Court decision's that the Vilnius City Council had violated the previous owners' and tenants' rights when it returned four buildings to the Church in 1992 and 1993. The Church had appealed, asserting that it had owned the properties before they were nationalized in 1945 and that restitution had been carried out according to the law. According to the ruling, the Church may regain ownership of, or compensation for, the four buildings in Vilnius Old Town.

The Government's commission to coordinate the activities of governmental institutions in order to investigate whether the activities of religious, esoteric, or spiritual

groups comply with the law includes representatives of the Ministries of Justice, Interior, Education, Health, and Foreign Affairs, the General Prosecutor's office, and the State Security Department. The Minister of Justice appoints the chairman of the commission. The commission was established in 2000 following some parliamentarians' calls for increased control of "sects," following negative coverage of some religious groups in the media. The commission takes as its guidance domestic laws and the recommendations (No. 1412 and No. 1178) of the Council of Europe, which seek to ensure that activities of religious groups are in line with the principles of a democratic society, human rights, and fundamental freedoms. The commission had taken no action and made no statements affecting specific religious groups by the end of the period covered by this report.

In December 2001, Stanislovas Buskevicius, a nationalist Member of Parliament, proposed draft legislation "On Barring the Activities of Sects." The draft was discussed widely and was expected to be considered by the Parliament in 2002; however, it had not been considered by the end of the period covered by this report. The Parliament's Department of Law criticized the draft law, and the Government's Department of European Law publicly expressed concern regarding the legal shortcomings of the draft and indicated its inconsistencies with European law practice.

In June 2000, the Ministry of Justice warned the "Collegiate Association for the Research of the Principle" to discontinue its religious activities. They were proselytizing on behalf of the Unification Church, an activity that was not described in their own statutes, and thus violated the Law on Public Organizations. The Association informed the Ministry of Justice that the religious activities of its members will not be carried out in the name of the Association. The Government has taken no further action against the Association.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

In the period between April 2001 and April 2002, the Ministry of Justice registered 11 nontraditional religious groups and granted 27 traditional religious communities legal person status. In July 2001, the Parliament granted the Association of Evangelical Baptist Churches of Lithuania the status of state recognized religion, and the United Methodist Church of Lithuania expects recognition of the same status in late 2002. Legally the status of "state recognized" religious community is higher than that of a "registered" community but lower than that of a "traditional" community.

Following President Adamkus' January 17, 2002, visit to Washington, on January 30, the Government turned over 309 Torahs to an Israeli spiritual and heritage group for distribution among Jewish congregations worldwide. The Government has made an effort to support post-World War II restitution efforts during the period covered by this report. An ad hoc committee of Lithuanian, American, and Israeli representatives of Jewish organizations, headed by Rabbi Andrew Baker, was negotiating the return of several of the most valuable Torahs still at the Lithuanian National Library.

### SECTION III. SOCIETAL ATTITUDES

There are generally amicable relations among the various religious communities, although members of religious minorities occasionally are subjected to acts of intolerance, such as insults.

An estimated 10 percent of the population before World War II were Jewish. More than 200,000 Jews (approximately 95 percent of that population) were killed in the Holocaust. The country still is reconciling itself with its past and working to understand it better. In 1998, President Valdas Adamkus established a historical commission to investigate both the crimes of the Holocaust and the subsequent Soviet occupation. The Commission has held annual conferences and several seminars and published several reports. A government-sponsored international forum on Holocaust-era looted cultural assets occurred in October 2000. In spring 2001, the Ministry of Justice asked the United Kingdom to extradite genocide suspect Antanas Geceviciu (Gecas), a resident of Edinburgh, Scotland. Scottish authorities declined to extradite Gecas because of his poor health; he died in September 2001.

In the past several years, the country's Jewish communities have expressed concern over an increase in anti-Semitic remarks made by extremist and a few, more

mainstream, politicians. The political leadership of the country and the national press generally criticize anti-Semitic statements when they occur.

On April 9, 2002, Holocaust Commemoration Day, in the Seimas (Parliament), the Lithuanian Freedom Party (LFP) issued a statement that described the Government's efforts to restore communal property to the Jewish community as "kow-towing to the Jews" and stated that it would turn its labor force into "slaves of the Jews." It also demanded that the Government end relations with Israel. The Seimas chairman, who is the leader of the New Union Party, criticized the statement; however, the Deputy Chairman of the Christian Democratic Party (CDP) warned the Government against making special arrangements to return Jewish communal property.

The Seimas commemorated Holocaust Day by publicly acknowledging and apologizing for the murder of Jews and destruction of Jewish culture in the country during WWII. Simonas Alperavicius, Chairman of the Lithuanian Jewish Community, attributed recent public expressions of anti-Semitism to ignorance and the failure of society to recognize the extent of the destruction that occurred there. On April 11, 2002, the Vilnius basketball arena apologized for anti-Semitic chants by its fans during a game between a local team and an Israeli team.

The Seimas opposition requested that the Prime Minister disassociate himself from Education and Culture Advisor Arvydas Juozaitis after Juozaitis criticized Culture Minister Roma Dovydienene for "giving too much attention" to Jewish heritage in the Government's program for a Frankfurt Book fair.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy maintains a close and regular dialog on religious issues with senior officials in the Government, Members of Parliament, and presidential advisors, as well as continual contact with religious leaders. Religious groups use the Embassy as a vehicle to voice their complaints, and the Embassy encourages religious leaders to keep the Embassy informed of their views on the status of religious freedom and any complaints. The Embassy has been active in discussing the restitution of Jewish communal property with government officials and community leaders in the country. The Embassy also maintains regular contact with U.S. missionary groups.

During the period covered by this report, the Embassy's democracy commission funded a number of projects with the goal of promoting greater religious tolerance, particularly those related to building broader understanding of the Holocaust.

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## LUXEMBOURG

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 998.5 square miles, and its population is approximately 441,000. The country is historically Roman Catholic, and Catholicism remains the predominant faith. According to a 1979 law, the Government may not collect or maintain statistics on religious affiliation; however, over 90 percent of the population is estimated to be baptized Catholic. The Lutheran and Calvinist churches are the largest Protestant denominations. Muslims are estimated to number approximately 6,000 persons, including 1,500 refugees from Montenegro; Greek Orthodox adherents are estimated to number approximately 1,500 persons; and there are approximately 1,000 Jews. The Baha'i Faith, the Church of Jesus Christ of Latter-Day Saints (Mormons), the Universal Church, and members of Jehovah's Witnesses are represented in smaller numbers. The number of professed atheists reportedly is growing.

There are no significant foreign missionary groups. Many religious groups described as “sects” have representations in the country. They are expected to obey the law, but their activities have not become significant political or social issues.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion. The State does not register religions or religious groups. However, based on the Concordat of 1801, when the country was under Napoleonic rule, some churches receive financial support from the State. The Constitution specifically provides for state payment of the salaries of clergy. Pursuant to negotiated agreements with the Government, the following religious groups receive such support: Roman Catholic, Greek and Russian Orthodox, Jewish, and some Protestant denominations. Applications for financial support from the Anglican Church and the Muslim community have been under consideration for over 5 years without resolution.

There is a long tradition of religious education in public schools. A 1997 convention between the Minister of National Education and the Roman Catholic Archbishop governs religious instruction. In accordance with this convention, religious instruction is a local matter, coordinated at the communal level between representatives of the Catholic Church and communal authorities. Government-paid lay teachers provide instruction (totaling 2 school hours) at the primary school level. Parents and pupils may choose between instruction in Roman Catholicism or an ethics course; requests for exemption from religious instruction are addressed on an individual basis. Although approximately 85 percent of primary school students choose religious instruction, the number drops to 65 percent for high school students. The Roman Catholic, Lutheran, and Calvinist Churches have an agreement for the provision of instruction in the Protestant religions within the overall framework of religious instruction in the school system. There are oral agreements between Catholics and Protestants at the local level to provide religious instruction to Protestant students, as required, during school hours. Protestant instruction is available on demand, and provision of instruction in other faiths may develop in response to demand.

The State subsidizes private religious schools. All private, religious, and non-sectarian schools are eligible for and receive government subsidies. The State also subsidizes a Catholic seminary.

### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. The Roman Catholic, Protestant, and Jewish faiths work well together on an interfaith basis. Differences among religious faiths are not a significant source of tension in society.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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## **MACEDONIA (THE FORMER YUGOSLAV REPUBLIC OF)**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no overall change in the status of respect for religious freedom during the period covered by this report; however, the ethnic-Albanian insurgency led by a group of Kosovar and Macedonian ethnic Albanians who call themselves the “National Liberation Army” (NLA), in 2001 has strained religious tolerance. While religion was not a focus of the conflict, both sides occasionally have targeted religious buildings due to the linkage between religion and ethnicity in the country. The August 13 Framework Agreement concluded in 2001 contained broad constitutional and legislative reforms focused on greater minority rights. Throughout the implementation of this agreement and the 2002 election campaign, religious issues increasingly were politicized. The law places some limits on religious practice by restricting the establishment of places of worship and restricting where contributions may be made.

The generally amicable relationship among the various religious communities contributed to religious freedom; however, inter ethnic conflict and the increased politicization of religion by the Government have strained this relationship.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 9,781 square miles, and its population is approximately 2 million. The country has two major religions: Orthodox and Muslim. Nominally, approximately 66 percent of the population are Macedonian Orthodox, approximately 30 percent are Muslim, approximately 1 percent are Roman Catholic, and approximately 3 percent are of other faiths (largely various Protestant denominations). There is also a small Jewish community in Skopje. Religious participation tends to focus on major holidays or life cycle events.

Numerous foreign missionaries are active and represent a very wide range of faiths. Many of these missionaries enter the country in connection with other work, often charitable or medical. Several Protestant missionary groups and members of Jehovah’s Witnesses are active.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. However, the law places some limits on religious practices, including the establishment of places of worship and the collection of contributions. Prior to January 2002, the Constitution specifically mentioned the Macedonian Orthodox Church, although it did not confer official status. As part of the Framework Agreement, the Constitution was amended to include mention of the Jewish community and the Methodist church. None of these communities has official status or privileges.

The constitutional provision for religious freedom is refined further in the 1997 Law on Religious Communities and Religious Groups. This law designates the Macedonian Orthodox Church, the Islamic community, the Roman Catholic Church, the Jewish community, and the Methodist Church as religious communities, and all other religions as religious groups. However, there is no legal differentiation between religious communities and groups. In 1999 the Constitutional Court struck down several provisions of the 1997 law, and in practice the remaining provisions of the law are not enforced consistently.

The Government requires that religious groups be registered. The 1997 Law on Religious Communities and Religious Groups contained a number of specific requirements for the registration of religious groups that were struck down by the Constitutional Court in 1999. Consequently, there was considerable confusion over which procedures still applied, and several foreign religious bodies experienced delays in their efforts to register. During the period covered by this report, the process remained slow and cumbersome. In practice religious groups need to register to obtain permits to build churches, and to request visas for foreigners and other permits from the Government. During 2001 several international Protestant churches were granted legal registration, including the Christian Church Bozji Glas; several others were at some stage in the registration process by the end of the period covered by this report.

The Law on Religious Communities and Religious Groups also requires that foreigners carrying out religious work and religious rites be registered with the Government’s Commission on Relations with the Religious Communities. The Government does not restrict nor actively monitor new groups or advise the public on them.

The Government no longer keeps a count of registered religious groups and communities.

*Restrictions on Religious Freedom*

The Law on Religious Communities and Religious Groups places some restrictions on the establishment of places of worship. It provides that religious rites and religious activities “shall take place at churches, mosques, and other temples, and in gardens that are parts of those facilities, at cemeteries, and at other facilities of the religious group.” Provision is made for holding services in other places, provided that a permit is obtained at least 15 days in advance. No permit or permission is required to perform religious rites in a private home. The law also states that religious activities “shall not violate the public peace and order, and shall not disrespect the religious feelings and other freedoms and rights” of persons who are not members of that particular religion. The Government does not enforce actively most of these provisions of the law but acts upon complaints when they are received. On May 10–14, 2002 in Skopje, a conference was held called “Nurturing a Culture of Dialog,” where Muslim leaders complained that crosses were placed on clock towers in villages and that only the Orthodox Church was invited to give prayers at government and sporting events.

Several registered Protestant groups have been unable to obtain building permits for new church facilities due to normal bureaucratic complications that affect all new construction. Churches and mosques often are built without the appropriate building permits. The Government has not taken any actions against religious buildings that lack proper construction permits.

The Law on Religious Communities and Religious Groups also places some limitations on the collection of contributions by restricting them only to places where religious rites and activities are conducted.

During the period covered by this report, the Government increasingly politicized religious issues and increased the role of religion in official events. For example, on January 9, 2002, the Minister of Interior organized a ceremony where police special forces were blessed by the Archbishop of Ohrid and each police officer was given a religious plaque. The Government also is financing the placement of a 60-foot-tall Orthodox cross on Mt. Vodno near Skopje. These actions are seen as provocations by the country’s ethnic Albanians and have contributed to strained relations between religious groups.

Children below the age of 10 years may not receive religious instruction without the permission of their parents or guardians. A new law provides for religious education in the schools on a voluntary basis. The Government is developing the implementation guidelines.

The 1997 Law on Religious Communities and Religious Groups specifically allows for foreign citizens to carry out religious activities, but only at the request of a registered religious body. Because many evangelical Christian missionaries wish to conduct religious activities that are aimed at the creation of new groups of believers, rather than at operating through existing churches, some foreign missionaries have chosen to disregard this portion of the law. This approach has on occasion led to difficulties for those missionaries, as the authorities have questioned their actual reasons for entering the country, usually on tourist visas. The Baptist Church registered in country has refused to sponsor Baptist missionaries from churches based in other countries. During the period covered by this report, several missionaries with improper immigration status were able to obtain religious worker visas. Several applications still were pending in June 2002. In addition, bureaucratic complications between ministries have delayed significantly the issuance of religious worker visas.

The issue of restitution of religious properties expropriated by the former Yugoslav Government has not been resolved fully. Many churches and mosques had extensive grounds or other properties that were expropriated by the Communist regime. Virtually all churches and mosques have been returned to the ownership of the appropriate religious community, but that is not the case for many of the other properties. Often restitution or compensation claims are complicated by the fact that the seized properties have changed hands many times or have been developed. In view of the country’s very limited financial resources, it is unlikely that religious communities will gain restitution of much of the expropriated properties.

*Abuses of Religious Freedom*

Forces on both sides of the civil conflict targeted and in some cases destroyed religious buildings. On June 16, 2001, during combat operations, police fired at the mosque at Stracini, although the NLA was not using it as a combat position. In June 2001, during anti-Albanian riots in Bitola, local police reportedly did not take

any action to stop rioters from vandalizing a city mosque and its adjacent Muslim cemetery. Some witnesses claimed that a few police officers participated in the riots. On May 21, 2001, in Runica, in the Kumanovo area, government forces burned down the local mosque and a number of other buildings in retaliation for earlier NLA strikes. The NLA used religious sites—both Orthodox and Muslim—as military bases and firing positions, in an attempt to deter security forces from attacking. During the spring of 2002, NLA fighters used the St. Bogorodica Orthodox Church near Tetovo as a base and caused significant damage to it; the NLA also used the Arabati Baba Teke Dervish monastery near Tetovo as a base. The NLA also attacked Orthodox buildings. On June 3, 2001, NLA combatants attacked and defaced the Orthodox Christian monastery at Matejce, near Kumanovo. On August 21, 2001, the NLA destroyed the church within the Orthodox Christian monastery at Lesok.

On December 8, 2001, arsonists, allegedly former NLA members, destroyed the Sveti Gjorgija (St. George) Church in the village of Golema Recica near Tetovo, the night before St. George's Day. The following night, on December 9, the mosque in Bitola caught fire. Police claimed that the fire was due to faulty electrical wiring; however, most observers believed that the fire was set intentionally in response to the St. George Church fire.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among the various religious communities continued to contribute to religious freedom although it has been tested severely and continues to deteriorate as a result of inter-ethnic tensions.

The religious communities in the country often reflect an ethnic identity. Specifically, most Muslims are ethnic Albanians. However, there are a number of ethnic Macedonians who are Muslim by religion. Ethnic Macedonians contend that they often are associated with the policies of ethnic Albanian Muslims, which they do not support. Societal discrimination is more likely to be based upon ethnic bias than upon religious prejudice.

During the period covered by this report, there was a significant increase in vandalism of religious properties (see Section II). Both mosques and Orthodox churches were targeted, many repeatedly. In June 2001, rioters vandalized the Bitola mosque, breaking windows, setting fire to the mosque interior, and breaking open several graves. Rioters also sprayed swastikas and anti-Albanian graffiti on the mosque. On August 7, in Prilep, a group of ethnic Macedonians burned down the local mosque.

The leaders of the long-established Orthodox, Muslim, and Roman Catholic communities have better connections within the Government than do the leaders of new churches, and there were some indications of an effort by the established religions to use that influence to shut out newcomers.

### SECTION IV. U.S. GOVERNMENT POLICY

During the period covered by this report, the U.S. Embassy maintained an extensive dialog with the Government's Commission on Relations with the Religious Communities, the office charged with the implementation of the Law on Religious Communities and Religious Groups. The Ambassador met with leaders of the various religious communities, as well as the head of the Commission on Religious Communities and Religious Groups, on several occasions during the period covered by this report.

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## MALTA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Constitution establishes Roman Catholicism as the state religion.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country, which consists of 3 islands in the Mediterranean Sea, has a total area of 122 square miles, and its population is approximately 394,600. The overwhelming majority of citizens (approximately 95 percent) are Roman Catholic, and approximately 65 percent attend services regularly. While some political leaders diverge from Catholicism, most of the country's political leaders also are Roman Catholic.

Most congregants at the local Protestant churches are not Maltese; many British retirees live in the country, and vacationers from many other nations compose the remainder of such congregations. Jehovah's Witnesses, the Church of Jesus Christ of Latter-Day Saints (Mormons), and the Bible Baptist Church also have an active missionary presence. There is one Muslim mosque and one Jewish congregation. Zen Buddhism and the Baha'i Faith also have centers. Of the estimated 3,000 Muslims, approximately 2,250 are foreigners, approximately 600 are naturalized citizens, and approximately 150 are native-born Maltese.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Constitution establishes Roman Catholicism as the state religion, and declares that the authorities of the Catholic Church have "the authority to teach which principles are right and which are wrong." The Government and the Catholic Church participate in a foundation that finances Catholic schools, where tuition is free. The foundation was established in 1991 as a result of the transfer of non-pastoral land to the State under the 1991 Ecclesiastical Entities Act. The Government subsidizes children living in Church-sponsored residential homes. There is one Muslim private school, and in November 2001, a site for a 500-grave Muslim cemetery was approved. Some governmental policies, such as a ban on divorce, reflect the teachings of the Catholic Church.

Since 1991 churches of all kinds (not just the Roman Catholic Church) have had similar legal rights: Religious organizations can own property such as buildings, and their ministers can perform marriages and other functions.

While religious instruction in Catholicism is compulsory in all state schools, the Constitution establishes the right not to receive this instruction if the student (or guardian, in the case of a minor) objects.

There are four religious holidays that are considered to be national holidays: the Motherhood of Our Lady (January 1), St. Paul's Shipwreck (February 10), the Assumption (August 15), and Christmas Day (December 25). These holidays do not impact negatively any religious groups.

##### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

##### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### SECTION III. SOCIETAL ATTITUDES

The Roman Catholic Church makes its presence and its influence felt in everyday life. However, converts from Catholicism do not face legal or societal discrimination, and relations between the Catholic Church and other Christian denominations generally are characterized by respect and cooperation.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Whenever

possible, the Embassy advocates continued observance of basic human rights such as freedom of expression and freedom of religion. Both the Embassy's private discussions with government officials and its informational programs for the public consistently emphasize these points.

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## MOLDOVA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the law includes restrictions that at times inhibit the activities of some religious groups.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion; however, the Government continued to uphold its earlier decisions to deny some groups registration. There is no state religion; however, the Moldovan Orthodox Church receives some special treatment from the Government. A number of minority religious groups in the separatist region of Transnistria continued to be denied registration and subjected to official harassment.

The generally amicable relationship among religions in society contributed to religious freedom; however, disputes among various branches of the Christian Orthodox faith continued, and there was one reported instance of the desecration of a Jewish cemetery. Unlike in the period covered by the previous report, no major cases of harassment were reported.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has an area of approximately 13,000 square miles and its population is approximately 4.5 million. The predominant religion is Christian Orthodox. More than 90 percent of the population nominally belong to one of two Orthodox denominations, the Moldovan Church claims more than 1,000 parishes, and the Bessarabian Church claims close to 100. In addition followers of the Old Rite Russian Orthodox Church (Old Believers) make up approximately 3.6 percent of the population. The religious traditions of the Orthodox Church are entwined with the culture and patrimony of the country. Many self professed atheists routinely celebrate religious holidays, cross themselves, and even light candles and kiss icons if the occasion demands. Other faiths include: Roman Catholics, Baptists, Pentecostals, Seventh-Day Adventists, Muslims, Jehovah's Witnesses, Baha'is, Jews, followers of Reverend Moon, Molocans (a Russian group), Messianic Jews (who believe that Jesus was the Messiah), Lutherans, Presbyterians, Hare Krishnas, and some other charismatic Christian and evangelical Christian groups. The Church of Jesus Christ of Latter-Day Saints (Mormons) has 2 congregations, with approximately 170 members.

According to the most recently available numbers, the Jewish community has approximately 31,300 members, including approximately 20,000 living in Chisinau; 3,100 in Balti and surrounding areas; 2,200 in Tiraspol; 2,000 in Benderi; and 4,000 in small towns.

These numbers, provided by the groups themselves, may be only rough approximations, as they do not appear to have been adjusted for the substantial emigration that took place over the period covered by this report.

Foreign missionaries represent many faiths and denominations.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the 1992 Law on Religions, which codifies religious freedoms contains restrictions that have inhibited the activities of unregistered religious groups. The law provides for freedom of religious practice, including each person's right to profess his religion in any form. It also protects the confidentiality of the confessional, allows denominations to establish associations and foundations, and states that the Government may not interfere in the religious activities of denominations. The Law specifies that "in order to organize and function," religious organizations must be registered with the Government, and unregistered groups may not own property, engage employees, or obtain space in public cemeteries in their own names. There is no state religion; however, the Moldovan Ortho-

dox Church receives some favored treatment from the Government. The Metropolitan of Chisinau and All Moldova has a diplomatic passport. Other high ranking Orthodox Church officials also reportedly have diplomatic passports issued by the Government.

The procedures for registering a religious organization are the same for all groups. Under the Law on Religions, an organization wishing to register must submit a request to the Cabinet. The Department of Religions examines the required statutes and the organization chart of the religious body, determines whether the officers of the Moldovan branch of the religion are, as required by law, citizens of the country, and examines whether the organization's beliefs fail to conform with the Constitution or any other laws. The ultimate recognition or rejection of the registration application is accomplished by government decree signed by the Prime Minister and printed in the Official Gazette. The Government has recognized 20 religious organizations; however, a number of organizations have been denied registration or encountered difficulties in connection with their registration applications. In 1999 amendments to the Law on Religion legalizing proselytizing went into effect. However, the law explicitly forbids "abusive proselytizing," which is defined as an attempt to influence an individual's religious faith through violence or abuse of authority. At the end of the period covered by this report the authorities had not taken any legal action against any individual for proselytizing.

Foreign missionaries are permitted to enter the country. They experience the same difficulties in obtaining residence permits and customs clearances as other foreign workers.

A 2000 Parliamentary decree made "moral and spiritual" instruction mandatory for primary school students and optional for secondary and university students. The Ministry of Education had planned for the instruction to begin in September 2000; however, difficulties arose in establishing the nature of this religious instruction. Such difficulties, combined with the chronic financial problems of the country's schools, have continued to prevent the implementation of the decree.

Two public schools and a kindergarten are open only to Jewish students. These schools receive the same funding as the other state schools and are supplemented by financial support from the community. However, Jewish students are not restricted to these schools. There are no comparable schools for Moldovan Orthodox believers and no reports of such schools for other religious faiths. Agudath Israel operates a private boys' yeshiva and a girls' yeshiva, both licensed by the Ministry of Education. The total enrollment of both schools is fewer than 100 students. There are a number of theological institutes, seminaries, and other places of religious education throughout the country.

The authorities in Transnistria (a separatist region not under the control of the Government) also impose registration requirements that negatively affect religious groups and have denied registration to some groups.

#### *Restrictions on Religious Freedom*

The Law on Religions contains restrictions that have inhibited the activities of unregistered religious groups and the Government continued to deny registration to some religious groups. The Government has cited Article 15 of the law, which prohibits registration of "schismatic movements" of a particular religion, as the basis for its decision not to recognize two Orthodox Christian groups. However, according to critics, the Government's interpretation of this article is selective. For example, the Government recognizes the following as separate religions: the Seventh-Day Adventist Church and the Reform Movement Seventh Day Adventist Church; the Federation of Jewish Communities and the Union of Messianic Jewish Communities; and the Orthodox Church of Chisinau and All Moldova and the Russian Old Rite Orthodox Church.

Unregistered religious organizations are not permitted to buy land or obtain construction permits for churches or seminaries. In some cases, members of unregistered religious groups hold services in homes, nongovernmental organization (NGO) offices, and other locations. In other cases, the groups obtain property and permits in the names of individual members.

The continued attempt by the Bessarabian Orthodox Church to obtain registration was unsuccessful during the period covered by this report. On April 24, 2002, in response to broader antigovernment demonstrations, the Council of Europe (COE) issued a report on the functioning of democratic institutions in Moldova. Its recommendations included registration of the Bessarabian Church by July 31. Government authorities assured the COE that they would comply with the recommendations, but Justice Minister Morei stated that the Government might not be able to meet the deadline because it would first need to change certain existing laws.

The Church had appealed its case to the European Court of Human Rights (ECHR) in 1998 after the Government had denied several applications for registration. On December 13, 2001, the ECHR ruled that the Government had violated articles of the European Convention concerning freedom of religion and the right to an effective appeal by refusing to register the Bessarabian Church. The Government objected to this ruling and on February 22, 2002, appealed the decision and requested a hearing from the ECHR Grand Chamber. On March 27, the ECHR refused to hear the appeal.

The Bessarabian Orthodox Church was formed in 1992 when a number of priests broke away from the Moldovan Orthodox Church, which is subordinate to the Moscow Patriarchate. The Bessarabian Orthodox Church, which regards itself as the legal and canonical successor to the pre-World War II Romanian Orthodox Church in Bessarabia (the territory bounded by the Nistru, Prut, and Danube Rivers and the Black Sea, of which most of present-day Moldova is a part) subordinated itself to the Bucharest Patriarchate of the Romanian Orthodox Church. Recognition of the Bessarabian Church could have implications for the church's ongoing property disputes with the Moldovan Orthodox Church, and the Government consistently has cited these issues, as well as its designation of the Bessarabian Church as a "schismatic movement," in its denial of registration. On September 27, 2001, the Government declared the Moldovan Orthodox Church the successor to the pre-World War II Romanian Orthodox Church for purposes of all property ownership, although no attempt has been made to seize those properties already in Bessarabian Church hands. The registration issue has political as well as religious overtones, since it raises the question of whether the Orthodox Church should be united and oriented toward Moscow, or divided, with a branch oriented toward Bucharest.

On November 5, 2001, a Communist parliamentary deputy called on Parliament to expel opposition deputy Vlad Cubreacov, a prominent figure in the Bessarabian Church, on the grounds that Cubreacov was an advisor to an "anti-constitutional" church structure. Parliament took no action on the proposal. Cubreacov disappeared on March 21, 2002, in the midst of a series of anti-Government protests, and reappeared May 25, claiming that still-unknown Russian-speaking kidnapers had held him. Although the disappearance is still unexplained, many believe that it may have been related to his work with the Church.

On May 29, 2002, after a long series of registration denials and legal appeals, the Supreme Court of Justice ruled that the Government must register the Church of the True Orthodox Moldova, a branch of the Russian Orthodox Church Abroad based in the United States. The Church had submitted applications for registration in 1997, 1998, and 2000; the Government rejected the applications on various grounds. The Government had not registered this Church by the end of the period covered by this report.

The Mormons continued to face bureaucratic obstacles and were not successful in obtaining registration during the period covered by this report.

In May 2002, the Supreme Court of Justice affirmed rulings of lower courts that upheld the Government's refusal, on technical grounds, to register the Spiritual Organization of Muslims in Moldova, the main Muslim organization in the country. The organization filed a case with the ECHR in September 2001, and the ECHR acknowledged receipt of the claim in March 2002; however, no other action was taken during the period covered by this report. The Muslim organization also asserted that it was discriminated against because some members are Afghan and Chechen refugees.

The law provides for restitution to politically repressed or exiled persons of property that was confiscated during the successive Nazi and Soviet regimes. This regulation, in effect, has been extended to religious communities; however, the Moldovan Orthodox Church has been favored over other religious groups in this area. The Church had little difficulty in recovering nearly all of its property and, in cases where property was destroyed, the Government offered alternative compensation. The Church has recovered churches, schools, hospitals, orphanages, and administrative properties. Property disputes among the Moldovan and Bessarabian Churches have not been resolved. The Jewish community has experienced mixed results in its effort to recover its property. The Baptist Church only has one remaining property restitution claim. In May 2001, the Molocans appealed to Parliament to hear their property restitution case, but the Parliament denied their request on the grounds that it was not within its jurisdiction. There was no movement on the Molocans' case during the period covered by this report.

Authorities in Transnistria used registration requirements and other legal mechanisms to restrict the religious freedom of some religious groups. Evangelical religious groups meeting in private homes reportedly have been told that they do not have the correct permits to use their residences as venues for religious services. In

the past they and other non-Orthodox groups generally were not allowed to rent property and often were harassed during religious services. In December 2001, Transnistrian authorities threatened to demolish a house in which Baptists had been meeting. However, the threat had not been carried out as of June 30, 2002, and the Baptists continued to meet there.

In 1998 the authorities in Transnistria canceled the registration of Jehovah's Witnesses. Repeated attempts by members of Jehovah's Witnesses to reregister have been denied or delayed. In late 2001, Jehovah's Witnesses lodged a court action against a Transnistrian official for allegedly abusing his office by blocking a property purchase. The case was settled on June 26, 2002, but on June 29 the Prosecutor General filed a case against Jehovah's Witnesses claiming that the organization had submitted invalid documents for its activities. There have been no reported instances since January 2000 in which Transnistrian officials confiscated religious tracts from members of Jehovah's Witnesses. The Methodist Church was denied registration in late 2000 and made no progress in its efforts to have its case reviewed. The Church of the Living God has been denied registration in five towns in Transnistria. The Church has not been in contact with international organizations since 2000, and some international observers believe it has ceased to exist.

The Baptist community in Transnistria remains unregistered. During the period covered by this report, Baptists in Transnistria complained of increased harassment from the authorities. One Baptist group reportedly was accused of having constructed its church in Tiraspol illegally, and the authorities reportedly threatened to demolish it. The matter drew some international attention, and the authorities since have permitted the church to continue to function. In the February 2001 Moldovan parliamentary elections, a reported 80 percent of those persons from Transnistria who crossed the Dniester River to vote (voting was not allowed in Transnistria itself), voted for independent candidate, and Baptist minister, Valeriu Ghiletschi.

In April 2001, Russian Patriarch Alexei II named Tiraspol Bishop Justinian to the post of Rector of the Theological Seminary at the Noul Neamt Monastery in Chitcani. The monastery is on the western bank of the Nistru River and traditionally has come under the religious authority of Chisinau Metropolitan Vladimir, although the area is under the de facto control of the separatist regime in Transnistria. The monks resisted the appointment, and Bishop Justinian used the Transnistrian military to force his entry into the monastery. A heated controversy ensued, ultimately resulting in Metropolitan Vladimir's reinstatement as rector in August 2001. In January 2002, the seminary moved to Chisinau.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relations among religions in society contributed to religious freedom. The dispute between the Moldovan and Bessarabian Orthodox Churches is ongoing (see Section II); however, the adherents of the respective Churches do not interfere with each others' freedom to worship.

Dozens of graves in Chisinau's main Jewish cemetery were desecrated in April 2002, and many of the gravestones were destroyed. The Jewish Community received reports that a group of teenagers confessed to the crime, but the Government has not filed criminal charges. The Jewish Community requested that the city place full-time armed guards at the cemetery, but the presence of the guards was reported to be sporadic.

Some Jewish cemeteries in Transnistria also were desecrated. Three youths were charged with the vandalism in one such incident, but no verdict was reached as of June 30, 2002.

In contrast to previous years, there were no reported examples during the period covered by this report of negative press articles about non-Orthodox religions.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Embassy officers have met with Baptist, Mormon, Muslim, Jewish, True Orthodox, and Bessarabian Orthodox leaders as well as their legal representatives, to discuss registra-

tion, restitution, and other problems the organizations have had with the authorities.

The U.S. Ambassador met with leaders of the major religious organizations at various times during the period covered by this report. Embassy employees maintain official or social contact with most of the resident American missionaries. The Embassy has supported the activities of religious (and secular) groups.

The Embassy's human rights officer maintains regular contact with religious leaders throughout the country, including in the separatist Transnistria region.

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## MONACO

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there are some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government denies religious organizations regarded as "sects" permission to operate.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The principality has a total area of 0.8 square miles and its population is approximately 32,020. Roman Catholicism is the state religion, and most of the approximately 7,100 Monegasque citizens living in the principality adhere to that religion, at least nominally. There are five Catholic churches in the principality and a cathedral presided over by an archbishop. Protestantism is the next most practiced religion, with two churches. There is one synagogue. The Constitution provides the nearly 25,000 noncitizens resident in the principality the same religious freedom as citizens. Most noncitizens also adhere to either Catholicism or Protestantism, although there are some residents who adhere to Judaism, Islam, or other world religions. There are no mosques in the principality. No missionaries operate in the principality.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there are some restrictions. Roman Catholicism is the state religion. Most citizens adhere to Roman Catholicism. The Catholic ritual generally plays an important role in state festivities, such as the annual national day celebration. The Constitution provides the nearly 25,000 noncitizens who live in the principality with the same religious freedom as the approximately 7,100 citizens.

#### *Restrictions on Religious Freedom*

No missionaries operate in the principality and proselytizing is strongly discouraged. However, there is no law against proselytizing by religious organizations that are registered formally by the Ministry of State. Organizations regarded as religious "sects" routinely have been denied such registration in the past. There were no reports of religious organizations being denied registration during the period covered by this report.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. There are no known ecumenical movements or activities to promote greater mutual understanding and tolerance among adherents of different religions. There were no reports of societal religious violence in the principality.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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**THE NETHERLANDS**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. The generally amicable relationship among religions in society contributed to religious freedom. Following the national debate triggered by the killing of an anti-immigrant, anti-Muslim politician, the new Government is focusing on better integration of Muslims into society. However, there is rising intolerance towards Muslims due to the events of fall 2001, as well as rising crime in the country. There also is growing anti-Semitism, particularly among Muslims, due to the ongoing conflict between Israel and the Palestinians.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 16,485 square miles and its population is approximately 16 million. Approximately 30 percent of the population consider themselves to be Roman Catholic, 15 percent Dutch Reformed, 7 percent Calvinist Reformist, 8 percent non-Christian (Islamic, Hindu, Jewish, or Buddhist), and 40 percent atheist or agnostic.

Society has become increasingly secular. According to the Government's Social Cultural Planning Bureau, church membership has declined steadily from 76 percent in 1958 to 41 percent in 1995 and still is decreasing, although at a slower pace. The breakdown within this 41 percent is 20 percent Roman Catholic, 9 percent Dutch Reformed, 6 percent Calvinist Reformist, 2 percent Muslim, and 4 percent other. Membership is decreasing among all denominations, except Islam, which is expected to become the second largest religion in the country by 2010.

Approximately 26 percent of church members are active within their religious communities. In 1999 an estimated 14 percent of Roman Catholics, 30 percent of Dutch Reformed, and 51 percent of Calvinist Reformed attended church at least once every 2 weeks.

Those who leave a church rarely return. Nonetheless, significant numbers of those who have left their churches still consider themselves to be members of a religious group. Approximately 60 percent of citizens claim adherence to a religion. However, the beliefs and practices of many of these adherents have developed into what some describe as a selective approach to religion: Accepting the positive but not the negative aspects of a particular religion. Approximately 20 percent of citizens, primarily among those who have left the "traditional" churches, describe themselves as "seekers of spiritual or philosophical truths." These persons tend to gravitate toward (although not necessarily join) newer or nonorthodox religious movements, such as Pentecostal groups, Jehovah's Witnesses, Hare Krishna, Transcendental Meditation, Scientology, Theosophy, or Anthroposophy.

In the wake of secularization since the 1960's, many Roman Catholics left the Church. Among those remaining, many express alienation from their religious hierarchy and doctrine. For example, most Dutch Catholics express no objections to female or married priests and differ with church thinking on a number of sensitive doctrinal issues.

Dutch Protestantism is quite heterogeneous. Among the Protestant churches, the Dutch Reformed Church remains the largest, although it is also the one that has suffered the greatest losses to secularization. Church membership in this denomination has declined by two-thirds in the past 50 years. The second largest Protestant group, the Calvinist Reformist Church, has been less affected by membership losses and even has succeeded in attracting former members of the Dutch Reformed Church. Other Protestant denominations include Baptists, Lutherans, and Remonstrants.

The country has a long tradition of providing shelter to non-Christian religions. For example, the present Jewish community includes fewer than 20,000 members but is thriving and operates its own schools.

The number of Muslims has risen due to the arrival of migrant workers, primarily from Morocco and Turkey. By 2001 there were approximately 279,000 Moroccans and 320,000 Turks in the country. Additional Muslims came from the former Dutch colony of Suriname. In the past decade, Muslim numbers further increased due to the large numbers of asylum seekers from countries such as Iran, Iraq, Somalia, and Bosnia. By 2001 the total number of Muslims amounted to about 750,000, or 4.7 percent of the population; the majority are Sunni. A network of mosques and cultural centers serves the Islamic community. It is organized to conform to the country's system of subsidies, which underwrites cultural activities geared to social orientation and the promotion of equal opportunities. The number of mosques has increased to approximately 400; more than half cater to Turks, approximately 140 cater to Moroccans, and approximately 50 cater to Surinamese. The increased influence of Islam also is reflected in the founding of over 30 Islamic schools.

There is a sizable community of approximately 90,000 Hindus from the former Dutch colony of Suriname. The country also hosts smaller groups of Hindus who came from India and Uganda, as well as similar movements based on Hindu teachings as Ramakrishna, Hare Krishna, Sai Baba, and Osho. The Buddhist community is quite small, with approximately 17,000 members.

There were no reports of foreign missionary groups operating in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution permits the Government to place restrictions on the exercise of religion only on limited grounds, such as health hazards, traffic safety, and risk of public disorder.

The Calvinist Reformist Church enjoyed a privileged status until 1795. It received government subsidies and only church members could hold public office. Church and State have been separate since 1798. However, the Government provides state subsidies to religious organizations that maintain educational facilities. The Government provides funding to public as well as to religious schools, other religious educational institutions, and religious health care facilities, irrespective of their religious affiliation. In order to qualify for funding, institutions must meet strict non-religious-based criteria for curriculum standards, minimum size, and health care.

The law provides for minority views to be heard on radio and television. For example, broadcasting time has been allotted to the Islamic Broadcasting Foundation, an alliance of all Muslim groups in the country.

The Government of Turkey exercises influence within the Dutch-Turkish Islamic community through its religious affairs directorate, the Diyanet, which is permitted to appoint imams for the 140 Turkish mosques in the country. There is no such arrangement with the Moroccan Government that allows it to appoint religious officials to Moroccan mosques. The Moroccan Government tries to exercise influence over the approximately 100 Moroccan mosques through a federation of Moroccan friendship societies. Dutch authorities have not been pleased with Turkish and Moroccan interference with religious and political affairs because it appears to run counter to government efforts to encourage integration of Muslims into Dutch society. For example, government authorities insist on strict observance of mandatory school attendance up to the age of 16. They disapprove of appeals by foreign imams to keep sexually mature girls under the age of 16 at home.

### *Restrictions on Religious Freedom*

To counter undesired foreign influence, the authorities have proposed training imams in the Netherlands itself so that they will have at least basic knowledge of the Dutch language and of the prevailing norms and values in Dutch society. Given the strict separation between the State and religion, the authorities themselves cannot organize such training. However, the Theological University of Kampen and the Protestant Free University of Amsterdam have started providing religious training to Muslims. As an interim measure, the Government has decided that all imams and other spiritual leaders recruited in Islamic countries first must follow a 1-year integration course before they are allowed to practice in the country.

Disputes have arisen when the exercise of the rights to freedom of religion and speech clashed with the strictly enforced ban on discrimination. Such disputes are addressed either in the courts or by anti discrimination boards. Complaints have repeatedly been filed against religious or political spokesmen who publicly condemned homosexuality. However, it is longstanding jurisprudence that such statements

made on religious grounds do not constitute a criminal offense if the intention to offend or discriminate against homosexuals was deemed absent.

The headscarf issue also has been addressed repeatedly in the courts and by equal opportunities committees. The prevailing opinion is that the wearing of headscarves only may be banned on narrow grounds, such as security considerations or inconsistency with an official government uniform.

In other areas, employers have been rebuked publicly by anti discrimination boards for failure to allow non-Christians to take leave from work on their religious holidays, for objecting to Sikhs wearing turbans or to Muslim women wearing headscarves, or to observance of food requirements on religious grounds. In 1999 the Equal Opportunities Committee ruled against a company that had denied employment to a Turkish applicant because he intended to attend Friday service at a mosque. This was considered a violation of freedom of religion. According to the Committee, Friday service for Muslims is equivalent to Sunday service for Christians. It ruled that employers are obliged to take account of reasonable religious demands from their employees, except in exceptional circumstances.

The Calvinist Reformist Social Union (RMU) charged that the 1996 law on working hours contributed to discrimination. This law permits work on Sunday under certain circumstances. Based on a survey of 2,000 companies, the RMU reported that job applicants increasingly are turned down if they refuse for religious reasons to work on Sunday. The larger labor federations reacted by calling for agreements between labor and management on the practice of religion during working hours. This matter usually does not lead to problems; however, if problems arise, the federations made clear their intention to call upon offending employers to observe this fundamental right. At the end of the period covered by this report, the legislature still was working on an amendment to the laws on working hours and business hours to permit employees to claim time off for the practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Religious communities have tended to live alongside each other in harmony. Among them, the Protestant denominations in particular have both promoted the Jewish cause and reached out to the Islamic community. However, in the fall of 2001, widespread societal resentment of growing numbers of Muslims and their culture became apparent. Populist politician Pim Fortuyn, who was killed shortly before the May 2002 general elections, received broad support for his characterization of Islam as "a backward culture" that is intolerant toward women and homosexuals, and that allows practices from the Middle Ages. The consequent backlash against the Muslim community was worsened by growing resentment of Moroccan youth gangs held responsible for a major rise in crime.

In the fall of 2001, there were a number of incidents of arson and the painting of hateful slogans on mosques and other Islamic institutions. The National Association of Anti-Discrimination Bureaus registered over 90 incidents against Muslims, including vandalism, arson, the defacing of mosques or Islamic institutions, harassment, and verbal abuse in public places, directed particularly at women wearing headscarves. Such incidents subsequently subsided, but individuals of the large Muslim communities of mostly Turks and Moroccans and other refugees from Iran and Iraq continue to be harassed and threatened. Incidents of actual physical assault remain quite rare.

The escalating conflict between Israel and the Palestinians also caused a backlash in society. Several monitoring organizations observed an increase in anti-Semitic incidents. Most anti-Semitic incidents were non-violent and involved the chanting or painting of anti-Semitic slogans, the use of swastikas, distribution of neo-Nazi propaganda, and individuals making the Hitler salute. However, pockets of militant young Muslims, mostly Moroccans, have on a number of occasions assaulted or intimidated identifiable Jews. The Center for Information and Documentation Israel (CIDI) observed a sharp increase in anti-Semitic incidents in 2001, particularly assaults, intimidation, and verbal attacks, perpetrated mostly by Moroccan youths; however, there were no serious attacks on synagogues or Jewish institutions or shops. On April 13, 2002, a range of incidents occurred during an anti-Israel demonstration in Amsterdam. The demonstration escalated into serious rioting. Most of the 20,000 attendees were Muslims. Demonstrators carried anti-Semitic slogans and

symbols and burned Israeli and U.S. flags. Two recognizable Jews were attacked and beaten.

The labor federations have been working to include in collective bargaining agreements stipulations that permit non-Christian employees to take leave on non-Christian religious holidays. Such stipulations have now been included in most agreements.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the overall context of the promotion of human rights. Promoting religious freedom around the world is a high priority goal of Dutch foreign policy. The U.S. Embassy works very closely with the Government to promote religious freedom.

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### NORWAY

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

The Evangelical Lutheran Church, which is the state church, enjoys some benefits not available to other faiths.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. Muslims continued to encounter some difficulties in obtaining local permission to build mosques.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 150,000 square miles, and its population is approximately 4.5 million. Citizens are considered to be members of the state church unless they explicitly associate themselves with another denomination; 86 percent of the population nominally belong to the state church. However, actual church attendance is considered to be rather low. Other denominations operate freely.

In 2001 a total of 268,097 persons were registered in religious communities outside the Evangelical Lutheran Church of Norway. An additional 23,962 persons belong to unregistered communities.

The major registered religions and religious groups are: Islam (62,051 members); Pentecostal congregations (43,019 members); Roman Catholic Church (42,546 members); Evangelical Lutheran Free Church of Norway (21,303 members); members of the Jehovah's Witnesses (14,812 members); Methodist Church of Norway (12,918 members); Norwegian Baptist Union (10,385 members); Church of Norway Mission Covenantants (8,445 members); and the Buddhist Federation (8,020 members). Other groups include Orthodox Jews, the Greek Orthodox Church, the Anglican Church, and Hindus. In addition, there is one main organization for the nonreligious or atheists, which is the Norwegian Humanist Association. The Association has 70,363 registered adult members and 10,000 to 12,000 children as associate members. Persons cannot register as full members until they reach early adulthood.

Members of registered religious communities outside the state church are concentrated in the Oslo region and the west coast region of the country. The Hordaland, Rogaland, and Vest Agder districts have the highest number of members of religious communities outside the state church. The majority of European and American immigrants are either Christians or nonreligious, the exception being Muslim refugees from Bosnia and Kosovo. Most non-European immigrants practice Islam, Buddhism, or Hinduism.

Foreign missionaries and other religious workers operate freely in the country.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

The Evangelical Lutheran Church of Norway is the state church. It is supported financially by the State, and there is a constitutional requirement that the King and one-half of the Cabinet belong to this church. The relationship between the Church and the State regularly generates discussion. Church officials have spoken in favor of a greater separation in the state-church relationship. On March 7, 2002, a Commission, appointed by the National Council of the Church of Norway, presented its report after 4 years work on evaluating the church-state relationship in the country. The report called "The Same Church A New Order" concluded that the strong ties between church and state in the country should be loosened. The Commission recommended that all passages in the Constitution that mention the Church of Norway or the Lutheran belief be amended to reflect the country's multicultural and multi-religious society. During the spring of 2002, all Parish Councils in the Church of Norway were invited to comment on the issue. The Government is expected to appoint a governmental Commission to follow up on the proposal.

A religious community is required to register with the Government only if it desires state support, which is provided to all registered denominations on a proportional basis in accordance with membership.

Foreign religious workers from countries whose citizens Norway requires visas need to obtain such visas before entering the country. In addition, all foreign religious workers from countries outside the European Union or European Economic Area must apply for work permits. There is no government registration of foreign religious workers beyond the regularly established database of issued work permits.

A 1995 law introduced the subject "Religious Knowledge and Education in Ethics" in the school system. The course covers world religions and philosophy and promotes tolerance and respect for all religious beliefs; however, based on the country's history and the importance of Christianity to society, the course devotes more time to Christianity. All children must attend this mandatory class, and there are no exceptions for children of other faiths; on special grounds students may be exempted from participating in or performing specific religious acts such as church services or prayer, but they may not forgo instruction in the subject as a whole. In 2001 independent education experts evaluated the course and presented a report to Parliament. Based on the report, Parliament concluded that it should be easier for parents to request that their children be exempted from parts of the class. In June 2001, Parliament directed the Ministry of Education to draft a standard form for this purpose, which was sent to all schools with instruction on its implementation. Organizations for atheists as well as Muslim communities have contested the legality of forced religious teaching. The Norwegian Humanist Association contested the teaching of the subject in the courts claiming that it is a breach of freedom of religion and parents' rights to provide religious instruction to their children. In August 2001, the Supreme Court unanimously rejected the claims from the Humanist Association.

In 1998 the Government suspended two priests in the Church of Norway and asked the courts for approval to terminate legally their priesthood due to insubordination and disloyalty. The conservative priests, serving in a rural community, openly had refused to accept religious and spiritual guidance from their more liberal bishop based in the provincial capital. The parties were in disagreement on a number of social issues (such as gay rights). In 2000 the Alta county court ruled that the two local priests could not be fired due to insubordination and disloyalty. The Minister of Church Affairs appealed the decision to the Haalogaland district court, which ruled against the two priests. One of the priests accepted the ruling, and has left his position. The other priest appealed his case to the Supreme Court. In August 2001, the Supreme Court rejected the appeal.

Muslims encountered some difficulties in obtaining local permission to build mosques in areas where they are concentrated. Since 1975 the town council in Drammen has regularly turned down applications to build a mosque.

The Workers' Protection and Working Environment Act permits prospective employers to ask job applicants for positions in private or religious schools, or in day care centers, whether they agree to teach and behave in accordance with the institutions or religion's beliefs and principles.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

A Cooperation Council for Faith and Secular Society consists of the state church and other religious communities, including the Jewish, Muslim, Buddhist, and secular humanist communities. The Oslo Coalition for Freedom of Religious Beliefs works to facilitate closer coordination and international cooperation.

The Ecumenical Council of Christian Communities has been active in promoting cooperation within the Christian community. There also has been cooperation between the various religious communities on human rights issues in the past several years. Bilateral dialog between the state church and the Muslim and Jewish communities has generated statements in support of minority rights and human rights.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government, particularly during the annual meeting of the UNCHR, in the overall context of the promotion of human rights. During the period covered by this report, a U.S. Embassy officer met with members of the local Jewish community to discuss allegations of anti-Semitism and the effect upon Jewish community opposition to the policies of the Government of Israel.

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**POLAND**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom; however, sporadic incidents of harassment and violence against Jews and occasional desecration of Jewish and, more frequently, Catholic cemeteries continued, mostly by skinheads and other marginal elements of society.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Embassy and Consulate General Krakow officers actively monitor threats to religious freedom and seek to further resolution of unsettled legacies of the Holocaust and the Communist era.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 120,725 square miles, and its population is an estimated 39 million. More than 96 percent of citizens are Roman Catholic; however, Eastern Orthodox, Greek Catholic, and much smaller Protestant, Jewish, and Muslim congregations meet freely.

According to the 2001 Annual Statistical Yearbook of Poland, the following figures represent the formal membership of the listed religious groups, but not the number of actual persons (for example, the actual number of Jews in the country is estimated at between 10,000 and 30,000). There are an estimated 34,608,697 baptized Roman Catholics in the country; 509,500 Orthodox Church members; 123,000 Greek Catholics; 122,575 members of Jehovah's Witnesses; 87,300 Lutherans (Augsburg); 24,445 Old Catholic Mariavits; 23,031 members of the Polish-Catholic Church; 19,840 Pentecostals; 9,942 Seventh-Day Adventists; 4,367 Baptists; 5,433 members of the New Apostolic Church; 5,123 members of the Muslim Religious Union; 5,043 Hare Krishna; 4,367 Methodists; 3,593 members of the Church of Christ; 3,610 Lutherans (Reformed); 2,610 Catholic Mariavits; 1,222 members of the Union of Jewish Communities; 982 members of the Eastern Old Ceremonial Church; and 160 members of the Karaims Religious Union. Each of these religious groups has a relationship with the State governed by either legislation or treaty, with the exception of Jehovah's Witnesses, the New Apostolic Church, the Church of Krishna Consciousness (Hare Krishna), and the Church of Christ.

According to an April 2001 poll, approximately 58 percent of citizens actively participate in religious ceremonies at least once per week; a 1999 poll found that 8 percent declared that they have no contact with the Catholic Church. An estimated 34 percent declared that they attend church irregularly or sporadically. An estimated 3 percent declared themselves to be nonbelievers. The survey found women to be more religious than men, with 64 percent of the former attending church regularly, compared with 52 percent of the latter. Farmers are the most religious occupational

group, with 69 percent attending church regularly. No figures are available on the number of atheists in the country.

Foreign missionary groups operate freely in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. The Criminal Code stipulates that offending religious sentiment through public speech is punishable by a fine or up to a 3-year prison term. The Roman Catholic Church is the dominant religion in the country.

There are 15 religious groups in the country whose relationship with the State is governed by specific legislation and 141 other religious communities. The legislation outlines the internal structure of the religious groups, their activities, and procedures for property restitution.

Religious communities may register with the Government; however, they are not required to do so and may function freely without registration. According to 1998 regulations, registration requires that the group have submitted the names of at least 100 members as well as information regarding the group itself. This information on membership (i.e., signatures) must be confirmed by a notary public, although the registration itself often appears to be a formality. No new religious communities registered during the period covered by this report. All churches and recognized religious groups share the same privileges (duty-free importation of office equipment, reduced taxes, etc.).

Citizens enjoy the freedom to practice any faith that they choose. Religious groups may organize, select, and train personnel, solicit and receive contributions, publish, and meet without government interference. There are no government restrictions on establishing and maintaining places of worship.

The law places Protestant, Catholic, Orthodox, and Jewish communities on the same legal footing, and the Government attempts to address the problems that minority religious groups may face.

Foreign missionaries are subject only to the standard rules applicable to foreigners temporarily in the country.

Although the Constitution gives parents the right to bring up their children in compliance with their own religious and philosophical beliefs, religious education classes continue to be taught in the public schools at public expense. While children are supposed to have the choice between religious instruction and ethics, the Ombudsman's office states that in most schools, ethics courses are not offered due to financial constraints. Although Catholic Church representatives teach the vast majority of religious classes in the schools, parents may request religious classes in any of the religions legally registered, including Protestant, Orthodox, and Jewish religious instruction. Such non-Catholic religious instruction exists in practice, although it is not common, and the Ministry of Education pays the instructors. Priests and other instructors receive salaries from the State for teaching religion in public schools, and Catholic Church representatives are included on a commission that determines whether books qualify for school use.

Five Catholic religious holidays (Easter Monday, Corpus Christi Day, Assumption of the Virgin Mary, All Saints' Day, and St. Stephen's Day) are national holidays.

In 1998 the Concordat, a treaty regulating relations between the Government and the Vatican that was signed in 1993, was ratified by Parliament, signed by the President, and went into effect. The vote came after years of bitter disputes between Concordat supporters and opponents over whether the treaty simply provides the Catholic Church's rights or blurs the line between church and state. Since 1998 the Government and the Catholic Church each have established groups which meet regularly to discuss Church-State relations.

The Government continues to work with both local and international religious groups to address property claims and other sensitive issues stemming from Nazi- and Communist-era confiscations and persecutions. The Government enjoys generally good relations with international Jewish groups; the Ministry of Foreign Affairs largely is responsible for coordinating relations between the Government and these organizations, although President Aleksander Kwasniewski also plays an important role. The Government cooperates effectively with a variety of international organizations, both governmental and nongovernmental, for the preservation of historic sites including cemeteries and houses of worship.

Progress continues in implementing the laws that permit local religious communities to submit claims for property owned prior to World War II that subsequently

was nationalized. A 1997 law permits the local Jewish community to submit claims for such property, which mirrored legislation benefiting other religious communities. The laws allow for the return of churches and synagogues, cemeteries, and community headquarters, as well as buildings that were used for other religious, educational, or charitable activities. The laws included time limits for filing claims; in several cases the deadlines have expired, and no additional claims may be filed. However, restitution commissions (composed of representatives of the Government and the religious community) are continuing adjudication of previously filed claims. The Government is drafting legislation that is expected to grant all affected religions an additional 2-year period to file claims.

The time limit for applications by the Catholic Church expired in December 1991. As of May 2002, 2,693 of the 3,051 claims filed by the Church had been concluded, with 1,282 claims settled by agreement between the Church and the party in possession of the property (usually the national or a local government); 866 properties were returned through decision of the Commission on Property Restitution, which rules on disputed claims; 507 claims were rejected; and 17 cases were likely to go to court. Claims by the local Jewish community (whose deadline for filing claims under the 1997 law expired on May 11, 2002) number approximately 5,200. The Commission on Property Restitution considered 1,136 cases; 211 were closed—109 by a financial agreement between the parties and 72 with ownership transferred. A total of 25 cases were discontinued. As of May 2002, Lutheran claims for 1,200 properties had resulted in 583 cases being closed with the return of the properties in question (the deadline for filing such claims was July 1996). A total of 120 claims were filed with the Commission for the Orthodox Church, of which 49 were closed by agreement as of May 2002.

The laws on communal property restitution also do not address the issue of communal properties to which third parties now have title, leaving several controversial and complicated cases unresolved. In a number of cases over several years, buildings and residences were built on land that included Jewish cemeteries that were destroyed during or after World War II. For example, a school for disabled children now stands on the site of a completely destroyed Jewish cemetery in Kalisz. The existence of the school complicated the issue of returning the cemetery to the Jewish community. Efforts continued during the period covered by this report to reach a resolution acceptable to all concerned.

In the case of other cemeteries, progress was made. In October 2001, as the result of cooperation between local officials and Jews from several countries, the Jewish cemetery in Ozarow was reconstructed and rededicated.

Efforts by local and central government authorities resulted in the closing of a brothel in Slubice located on the grounds of a former cemetery that had been destroyed by Communist authorities in the 1970's and the recovery by the local Jewish community in Pobiedziska of a cemetery after the end of the period covered by this report.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion. In March 2001, the Government established a department within the Ministry of Interior to monitor the activities of "new religious groups" and "cults." In April 2002, the Government closed the department; however, there still is a person in the Interior Ministry's Public Order Department who monitors religious movements.

Although the Constitution provides for the separation of church and state, crucifixes hang in both the upper and lower houses of Parliament, as well as in many government offices.

State-run radio broadcasts Catholic Mass on Sundays, and the Catholic Church is authorized to relicense radio and television stations to operate on frequencies assigned to the Church, the only body outside the National Radio and Television Broadcasting Council allowed to do so.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contribute to religious freedom; however, sporadic incidents of harassment and violence against Jews and occasional desecration of Jewish and, more often, Catholic cemeteries continued, mostly generated by skinheads and other marginal elements of society.

Orthodox religious officials reported anecdotal accounts of discrimination towards the Orthodox community. There were reports of less than proportional funds for cultural events associated with the Orthodox community, layoffs in which Orthodox employees were the first dismissed, and an attitude in the local press associating Catholicism as being necessary for true citizenship.

During the period covered by this report, Polish-Jewish relations were complicated by a controversy that arose over revelations regarding the 1941 massacre of the Jewish population of the northeastern town of Jedwabne. The publication of a book, which alleged that the killings were perpetrated by the town's ethnic Polish inhabitants and not by the occupying Germans as stated in a monument at the site, led to considerable discussion of the Polish role during the Holocaust, of the extent of Jewish cooperation with Soviet occupation forces, and of Polish-Jewish relations in general. The Government moved quickly to address the problem, removed the inaccurate monument, began an investigation of the Jedwabne events, and held a ceremony of reconciliation on the 60th anniversary of the killings in July 2001. The National Remembrance Institute continued to investigate all circumstances surrounding the Jedwabne incident through April 2002.

On March 1, 2002, the National Remembrance Institute (IPN), which was created to provide access to Communist-era secret police files and provide an accurate history of the Communist period, released its first annual report. During the debate, one Member of Parliament criticized the report for devoting too much time to the July 1941 killing of Jews in Jedwabne and introduced a motion to reject the report; he made remarks that some observers interpreted as anti-Semitic. The case was referred to the ethics committee; however, there were no reports of an investigation at the end of the period covered by this report. A group of well-known politicians, scientists, clergymen, artists, and business persons signed an open letter of protest against the verbal attacks on the IPN Chairman.

Anti-Semitic feelings persist among certain sectors of the population, occasionally manifesting themselves in acts of vandalism and physical or verbal abuse. However, surveys in the past several years show a continuing decline in anti-Semitic sentiment, and avowedly anti-Semitic candidates have won few elections. However, some far-right Members of Parliament made anti-Semitic remarks in a parliamentary debate over the activities of the IPN.

Sporadic and isolated incidents of harassment and violence against Jews continue to occur in the country, often generated by skinheads and other marginal societal groups. Occasional cases of cemetery desecration, including both Jewish and, more frequently, Catholic shrines, also occurred during the period covered by this report.

In April 2001, controversial Gdansk priest Henryk Jankowski created in his church a replica of the barn in Jedwabne in which members of that town's Jewish community were burned to death in 1941. A sign near the display accused Jews of having killed Christ and of persecuting Poles. The tableau was removed after the local archbishop ordered it removed; however, anti-Semitic literature is available for purchase in the church bookstore. Religious and political leaders strongly criticized the tableau's construction in the church.

On November 11, 2001, during Polish Independence Day, approximately 400 Polish ultra-nationalists chanting anti-Semitic and anti-European Union slogans marched through the heavily industrialized city of Katowice. The march culminated in a rally at which the demonstrators burned the Israeli and U.S. flags.

In April 2002, during the 14th March of the Living from Auschwitz to Birkenau to honor victims of the Holocaust, several hundred citizens joined 1,500 marchers from Israel and other countries. Government officials participating in the march included the Minister of Education, the province's governor, and Oswiecim's mayor and city council chairman. Schoolchildren, boy scouts, the Polish-Israeli Friendship Society, Polish survivors of Auschwitz, and the Polish Union of Jewish Students participated in the march. The Israeli Minister of Education also participated in the march.

On April 22, 2002, members of the Polish Council for Christians and Jews commemorated the 59th anniversary of the 1943 anti-Nazi uprising in Warsaw's Jewish Ghetto with visits to memorial sites connected with the city's former Jewish quarter.

A dispute between Gdansk's local Jewish community and the leadership of the Union of Jewish Communities in Poland, involving accusations of mismanagement of community funds, continued. The Gdansk Jewish community split into two organizations over this issue. On May 6, 2002, the District Court in Gdansk presided over an agreement between the two sides in which they agreed to use a professional mediator registered at the Ministry of Justice to try and resolve the conflict. If the mediator does not broker a settlement within a month, the case returns to the court. After an unsuccessful mediation, in May 2002, the Gdansk group filed a motion with the Interior Ministry to register a new organization, the Jewish Religious Union.

There is some public concern about the growth of groups perceived to be “sects” and the influence of non mainstream religious groups, especially during the summer travel season when young persons travel to camps and other gatherings. Articles have appeared in the press and on the Internet reporting the involvement of “sects” in disappearances.

Interfaith groups work to bring together the various religious groups in the country.

#### SECTION IV. U.S. GOVERNMENT POLICY

Representatives of the U.S. Embassy and Consulate General Krakow continue to monitor closely issues relating to religious freedom and interfaith relations; for example, one officer devotes a majority of time to questions of Polish and Jewish relations. Embassy and Consulate officers meet frequently with representatives of religious communities, the Government, and local authorities on such matters as property restitution, skinhead harassment, and interfaith cooperation.

Embassy and consulate officers actively monitor threats to religious freedom. On a regular basis, Embassy and Consulate officials discuss issues of religious freedom, including property restitution, with a wide range of government officials at all levels. The Embassy and Consulate General also work to facilitate the protection and return of former Jewish cemeteries throughout the country. The Embassy and the Consulate General play a continuing role in ongoing efforts to establish an international foundation to oversee restitution of Jewish communal property. A U.S. Government mediator worked with the two sides (the Polish Union of Jewish Religious Communities and the World Jewish Restitution Organization) to resolve outstanding differences that have delayed establishment of such a foundation. In June 2000, the sides reached agreement. Although the agreement subsequently collapsed, it was revived in September 2001. As a result, in January 2002, the foundation began operation and was registered formally in April 2002.

Embassy and consulate representatives, including the Ambassador, also regularly meet with representatives of major religious communities, including leaders of the Jewish community, both in the capital and during travels throughout the country.

The public affairs sections of the Embassy and the Consulate in Krakow provided continuing support for activities designed to promote cultural and religious tolerance. Such activities included providing a Democracy Commission grant to the Union of Jewish Religious Communities for use in building a database of claimable Jewish communal property; sponsoring a speaking tour by a visiting U.S. professor to lecture on tolerance; and continuing press and public affairs support for the Auschwitz Jewish Center Foundation’s education project in Oswiecim. The Embassy supported a local nongovernmental organization sponsored event, “Days of Tolerance,” in Kolobrzeg that brought together youths of various religious and ethnic backgrounds.

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## PORTUGAL

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom; there are a number of government- and privately-sponsored activities that contribute to interfaith understanding.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 35,672 square miles, and the population as of 2001 was estimated to be 10 million. More than 80 percent of the population above the age of 12 identify with the Roman Catholic Church; however, a large percentage state that they do not participate actively in church activities. Approximately 4 percent identify with various Protestant denominations (including about 250,000 Evangelists) and approximately 1 percent with non-Christian religions. Less than 3 percent state that they have no religion.

Practitioners of non-Christian religions include about 35,000 Muslims (largely from Portuguese Africa, who are ethnically sub-Saharan African or South Asian),

approximately 700 Jews, and very small numbers of Buddhists, Taoists, and Zoroastrians. There is also a Hindu community of about 7,000 persons, which largely traces its origins to South Asians who emigrated from Portuguese Africa and the former Portuguese colony of Goa in India. Many of these minority communities are not organized formally.

Over 100,000 Eastern Europeans have immigrated to Portugal in the past 2 years. Many are Eastern Orthodox. The Church of Jesus Christ of Latter-Day Saints (Mormons) reports 35,000 members. Brazilian syncretistic Catholic Churches, which combine Catholic ritual with pre-Christian Afro-Brazilian ritual, such as Candomble and Umbanda, also operate in small numbers, as do the Seventh-Day Adventists. The Igreja Universal do Reino de Deus (the Universal Church of the Kingdom of God), a proselytizing church that originated in Brazil, also exists. The Church of Scientology has approximately 200 active members, primarily in the Lisbon area.

Foreign missionary groups, such as the Mormons, operate freely.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution forbids discrimination based on religion.

The Government is secular. Other than the Constitution, the two most important documents relating to religious freedom are the 2001 Religious Freedom Act and the 1940 Concordata (as amended in 1971) between Portugal and the Holy See.

The Religious Freedom Act, passed in April 2001, created a legislative framework for religions established in the country for at least 30 years, or those recognized internationally for at least 60 years. The Act provides qualifying religions with benefits previously reserved for the Catholic Church: full tax-exempt status, legal recognition for marriage and other rites, chaplain visits to prisons and hospitals, and respect for traditional holidays. It allows for each religion to negotiate its own Concordata-style agreement with the Government, although it does not ensure the acceptance of any such agreements. The Act also called for an independent consultative commission within the Justice Ministry to oversee the application of the Act. Some religions protested the fact that the Catholic Church, although exempt from the Act, was granted membership on the Commission. The Act specified that rules must be established within 60 days after its passage; however, the Government has not yet created rules enabling this legislation.

The Catholic Church maintains a separate agreement with the Government under the 1940 terms of the Concordata. In order to comply constitutionally with the Religious Freedom Act, the Government began negotiations with the Vatican to amend the Concordata; these negotiations continued during the period covered by this report. The Vatican is seeking to remove language requiring it to consult the Government when appointing bishops, as well as language outlining its role and responsibilities in former Portuguese possessions. In the interim, the existing Concordata remains in force.

Public secondary school curriculums include an optional course called "religion and morals." This course functions as a survey of world religions and is taught by a lay person. It can be used to give instruction on the Catholic religion; the Catholic Church must approve all teachers for this course. Other religions may set up such a course if they have 10 or more children in the particular school. For example, the Evangelical Alliance established 191 classes in 129 schools during the 2001–02 school year. Under the 2001 Act, each religion may approve the course's respective instructor.

Under the Concordata, major Catholic holidays also are official holidays. Seven of the country's 16 national holidays are Catholic holidays; these 7 holidays do not impact negatively other religious groups.

The Diocese of Leiria-Fatima is seeking funding to establish a cable television station.

The Government takes active steps to promote interfaith understanding. Most notably 5 days a week the state television channel (Radiotelevisao Portuguesa 2) broadcasts "A Fe dos Homens" (The Faith of Man)—a half-hour program consisting of various segments written and produced by different religious communities. The Government pays for the segments, and professional production companies are hired under contract to produce the segments. Religious communities send delegates to a special television commission, which determines the scheduling of segments. The television commission has operated on the general rule that religious communities eligible for the program are those that have been operating for at least 30 years

in the country or at least 60 years in their country of origin. The Catholic Church receives 22.5 minutes of programming time per episode, while the remaining 7.5 minutes is divided among the other religions. The Evangelical Alliance receives two 7.5-minute segments per week, while other participating religions receive approximately one 7.5-minute segment per month. Religious faiths also work together to schedule programming on the "Caminhos" (Paths) broadcast every Sunday morning.

Lisbon City Hall provided matching funds for completion of the city's mosque, which was not completed at the end of the period covered by this report. The municipality also provided matching funds for the restoration of Lisbon's 19th century synagogue, considered a building of historic significance. The municipality of Lisbon also provides the opportunity for the religious communities to participate in summer festival events.

In October 2001, the Islamic community of Lisbon, along with the municipality of Lisbon, sponsored a conference entitled "Dialogue among Civilizations: the Contributions of the Religions," which brought together members of the Islamic, Christian, Jewish, Buddhist, Hindu, and Baha'i faiths for discussions concerning historical perspectives, culture, citizenship, ethics, and faith. The President of the country and the Mayor of Lisbon also participated.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion. The Catholic Church receives some preferential treatment; for example, chief chaplaincies for the military, prisons, and hospitals remain state-funded positions for Roman Catholics only. The Papal Nuncio is always the dean of the diplomatic corps. The Church of Scientology, although recognized as a religious association since 1986, does not benefit from the 2001 Religious Freedom Act, as it has not been established in the country for 30 years or recognized internationally for 60 years, as required under the law. The Church's leaders are concerned that exclusion from the benefits accorded under the Act may have a negative impact on their ability to practice their faith; however, they reported no discrimination or opposition during the period covered by this report.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

There are amicable relations among the various religious communities. Participation among the various faiths in crafting the programming schedule for "A Fe dos Homens" has facilitated greater understanding and enhanced mutual respect. Many communities conduct "open houses" or sponsor interfaith education seminars.

The residents of the Azores archipelago, although overall traditionally very Catholic, are also quite tolerant of other faiths. Both Mormon and Baptist missionaries are active on the islands. They are well treated and participate in Azorean social life.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Embassy representatives discuss issues and problems of religious freedom with government officials, members of the National Assembly, broadcasting executives, and leading religious figures.

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## ROMANIA

The Constitution provides for religious freedom; while the Government generally respects this right in practice, there are some restrictions, and several minority religious groups continued to claim credibly that low-level government officials impeded their efforts at proselytizing, as well as interfered with other religious activities.

There was no overall change in the status of respect for religious freedom during the period covered by this report. Government registration and recognition requirements still pose obstacles to minority religions. In May 2002, the Government decided to enforce a 2000 Supreme Court ruling requiring that Jehovah's Witnesses

be recognized as an official religion; however, the Government did not complete this process by the end of the period covered by this report. Despite initial fears, regulations introduced in May 2001 that governed the construction of places of worship did not increase difficulties for non-Orthodox religions in obtaining construction permits. Most minority religions declared that the process was smooth, although a few encountered lengthy delays. The Government has made no further effort to adopt a new law regulating religions and there are no prospects for the submission of such a draft law to Parliament before 2003. In June 2002, Parliament passed a law restituting church property held by the State. The law does not address churches that belonged previously to the Greek Catholic Church and now are held by the Orthodox Church.

There are generally amicable relations among the different religious groups; however, the Romanian Orthodox Church has shown some hostility toward non-Orthodox religious churches and criticized the "aggressive proselytizing" of Protestant, neo-Protestant, and other religious groups, which the Church repeatedly has described as "sects." The Orthodox Church continues to oppose the return of the Greek Catholic churches it had received from the State after the dismantling of the Greek Catholic Church by the Communists in 1948.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy met with the Government and religious leaders to encourage respect for religious freedom and urged the restitution of religious property seized under the Communists.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 91,799 square miles, and its population is approximately 22.4 million.

The Romanian Orthodox Church is the predominant religion in the country. The Government officially recognizes 15 religions: the Romanian Orthodox Church, the Roman Catholic Church, the Greek Catholic Church, the Old Rite Christian Church, the Reformed (Protestant) Church, the Christian Evangelical Church, the Evangelical Augustinian Church, the Lutheran Evangelical Church synod Presbyterian, the Unitarian Church, the Baptist Church, the Pentecostal Church, the Seventh-Day Adventist Church, the Armenian Church, Judaism, and Islam. However, members of other faiths worship freely. The latest available official figures on the number of believers of the recognized religious denominations date from the 1992 census. A new population census was conducted in March 2002; however, the final results are not expected to be available until March 2003.

According to the 1992 census, the Romanian Orthodox Church had 19,802,389 members (86.8 percent of the population) including approximately 26,000 Serbs and 53,000 Ukrainians. The Roman Catholic Church had 1,161,942 members. The Catholic Church of Byzantine Rite (Greek Catholics or Uniates) had 223,327 members. This figure is disputed by the Greek Catholic Church, which claims that the census was taken in an atmosphere of intimidation that discouraged Greek Catholics from declaring themselves as such. The Greek Catholic Church estimated in 1999 that its adherents number close to 750,000 members. (Greek Catholics were former members of the Romanian Orthodox Church who accepted the four principles that were required for union with the Roman Catholic Church in 1697, but continue to observe Orthodox festivals and many Orthodox traditions). The Old Rite Christian Church had 28,141 members (of whom 3,711 are ethnic Romanians and 24,016 are ethnic Lippovans/Russians). The Protestant Reformed Church had 802,454 members (of whom 765,370 are ethnic Hungarians). The Christian Evangelical Church had 49,963 members. The Evangelical Augustinian Church had 39,119 members (including 3,660 Romanians and 27,313 ethnic Germans). The Lutheran Evangelical Church Synod-Presbyterian had 21,221 members (including 12,842 ethnic Hungarians). The Unitarian Church of Romania had 76,708 members. The Baptist Church had 109,462 members. The Apostolic Church of God (Pentecostal Church) had 220,824 members (400,000, according to the Pentecostals). The Seventh-Day Christian Adventist Church had 77,546 members. The Armenian Church had 2,023 members. There were 9,670 Jews, according to the 1992 census (the Jewish Community Federation states that there are approximately 12,000 members). Muslims numbered 55,928. According to the same census, the number of atheists was 10,331. There were 24,314 persons who do not have any religious affiliation and 8,137 persons who did not declare any religious affiliation.

According to the State Secretariat for Religious Denominations, most religions have followers dispersed throughout the country, although a few religious communities are concentrated in particular regions. Old Rite members (Lippovans) are lo-

cated in Moldavia and Dobrogea. Most Muslims are located in the southeastern part of the country in Dobrogea (near Bulgaria and the coast). Most Greek Catholics are in Transylvania but there are also Greek Catholics in Moldavia. Protestant and Catholic believers tend to be in Transylvania, but many also are located around Bacau. Orthodox or Greek Catholic ethnic Ukrainians are mostly in the northwestern part of the country. Orthodox ethnic Serbs are in Banat. Armenians are in Moldavia and the south.

According to published sources, the Baha'i Faith, the Family (God's Children), the Church of Jesus Christ of Latter-Day Saints (Mormons), the Unification Church; the Methodist Church, Jehovah's Witnesses, the Presbyterian Church, Transcendental Meditation, Hare Krishna, and Zen Buddhism are active denominations in the country.

According to a nationwide poll conducted in November/December 2001, 1 percent of those polled said they go to church on a daily basis; 10 percent of those polled said that they go to church several times per week; 35 percent claim to go several times per month; 38 percent attend services once a month or less; and 15 percent do not go to church at all. The same poll shows that 88 percent of citizens say that church is the institution they trust most.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for religious freedom, and the Government generally respects this right in practice; however, laws and decrees give the Government considerable potential control over religious life. Government registration and recognition requirements still pose obstacles to minority religions. Several minority religious groups continued to claim credibly that low-level government officials and the Romanian Orthodox clergy impeded their efforts at proselytizing, as well as interfered with other religious activities.

A Communist era decree, number 177 of 1948, remains the basic law governing religious denominations. It allows considerable state control over religious life. Technically almost none of the articles of this law have been abrogated formally; however, according to the State Secretariat for Religious Denominations, a large number of its articles have been nullified in practice by the Constitution and a series of governmental decrees. Although several religious denominations and religious associations confirmed that articles stipulating the State's interference with or control over religious life and activities have not been enforced, such provisions still exist in the law.

The Government requires religious groups to register. To be recognized as a religion, religious groups must register with the State Secretariat for Religious Denominations and present their statutes, organizational, leadership, and management diagrams, and the body of dogma and doctrines formally stated by a religion. The Government has refused to recognize a number of religious groups, and no religious group has received status as a religion since 1990. In March 2000, the Supreme Court ordered that Jehovah's witnesses be recognized. While the Government was slow to issue an administrative act to enforce this court order, in May 2002, it promised it would do so by June. However, during the period covered by this report, the process was not completed.

Under the provisions of Decree 177 of 1948, the Government recognized 14 religions. In addition to this, a 1989 decree reestablished the Greek Catholic Church as a recognized religion. The Greek Catholics had been forced to merge with the Romanian Orthodox Church by another Communist decree in 1948. Only the clergy of these 15 recognized religions are eligible to receive state support. Recognized religions have the right to establish schools, teach religion in public schools, receive government funds to build churches, pay clergy salaries with state funds and subsidize clergy's housing expenses, broadcast religious programming on radio and television, apply for broadcasting licenses for denominational frequencies, and enjoy tax-exempt status.

The Government registers religious groups that it does not recognize either as religious and charitable foundations or as cultural associations. The State Secretariat for Religious Denominations reported that it licensed 622 religious and charitable foundations, as well as cultural organizations, under Law 21 of 1924 on Juridical Entities, thereby entitling them to juridical status as well as to exemptions from income and customs taxes.

A government decree (26 of 2000) on associations and foundations became effective in May 2000, abrogating Law 21 of 1924. The new law eliminates, at least in theory, the bureaucratic obstacles in the registration process, which religious groups repeatedly criticized as arbitrary and time-consuming. It also removes the minimum

requirement of members needed to establish religious associations and foundations. The State Secretariat for Religious Denominations reported in May 2002 that 11 new religious associations have been registered since May 2001. However, the figure may be larger, since, according to the new law, religious associations no longer need the State Secretariat's approval in order to be registered.

The number of adherents that each religion had in the 1992 census determines the proportion of the budget each recognized religion receives. The Romanian Orthodox religion receives the largest share of governmental financial support. In addition, Orthodox religious leaders generally preside over state occasions. In 2001 the Government allocated funds amounting to almost \$1.67 million (48,581 million lei) to the Orthodox Church, approximately \$50,000 (1,455 million lei) to the Roman Catholic Church, close to \$32,000 (930 million lei) to the Greek Catholic Church, and approximately \$44,000 (1,285 million lei) to the Reformed Church, for the construction and repair of churches.

According to the State Secretariat for Religious Denominations, missionaries who enter the country as tourists may renew their residence permits without special formalities. They require only a formal letter of request from the religious group for which they work. The State Secretariat for Religious Denominations reported that approximately 2,154 missionaries received visa extensions in 2001 and that approximately 700 renewed their visas in the first 4 months of 2002. Most religious groups state that they have not had any problems other than minor bureaucratic delays in getting residence permit extensions for their missionaries. Six-month extensions are available for all categories. There are penalties for any foreigner who stays without a visa, but such penalties do not appear to be linked to religious activities.

The regulations issued by the Government in May 2001 for the organization and operation of the commission in charge of granting approvals for the construction of places of worship defines these as "buildings such as churches, houses of prayer, temples, mosques, synagogues, houses of assembly, etc., used by religious denominations, religious associations and foundations for their specific religious services." However, there are other provisions in these regulations that could make it more difficult for minority (non-Orthodox, whether recognized or unrecognized) religious groups to get such approvals. The commission that approves such permits consists of 11 permanent members. Of the 15 recognized religions, only the Orthodox Church has members on this commission, which also includes government officials and technical experts. In addition, to the technical aspects of building a church, the commission is entitled to decide on the "opportuneness" of building the place of worship, and whether the construction is in line with the specific dogma, doctrines, and statutes of the religion in question. There were no reports that the commission denied any applications; however, there were reports of lengthy delays.

In February 2001, the Government circulated for comment to the 15 recognized religions an old draft law on religious denominations, which had been withdrawn in 2000 by the previous government under domestic and international pressure for being undemocratic and overly restrictive of the freedom of religion. The draft law would have imposed tough conditions on the registration of religious denominations and religious groups (including a membership of 1/2 of 1 percent of the country's population—over 100,000 persons), strengthened the powers of the State Secretary for Religious Denominations, and declared the Orthodox Church to be the national church. Following renewed criticism, the draft law was put on hold. The State Secretariat for Religious Denominations is analyzing comments from the 15 recognized religions on the draft law. The Government plans to distribute a new draft law, incorporating these comments, back to religious denominations for more comment at the end of 2002 or the beginning of 2003. The Government also plans to have the draft reviewed by international organizations such as the Council of Europe. Government officials expect the bill to be submitted to Parliament some time in spring or summer 2003. However, minority religions are less optimistic due to the ongoing Greek Catholic-Orthodox tensions and pressure by the Orthodox Church to be declared the national church.

Minority religious groups assert that they have found central government and parliamentary officials more cooperative than local officials. They specifically reported that relations with the State Secretariat for Religious Denominations have continued to improve.

The State Secretariat for Religious Denominations has been moved from the Prime Minister's office to the Ministry of Culture; independent observers believe the move indicates a reduction in the Secretariat's influence. There have been no complaints regarding the reestablishment of the position of local Inspector for Culture and Religious Denominations in the counties.

Following a 1999 Supreme Court ruling, the Ministry of Education no longer requires Adventist students to come to school or take exams on Saturdays. However,

according to Adventist reports, this is not observed universally; for example, Adventist students still have been called to exams on Saturdays at the Police Officer Academy.

The Baptist and Roman Catholic Churches raised concerns that the Government wanted to transfer “irrevocably and for good” the church property used to endow private church-run universities to the national education system. At the end of June 2002, the lower chamber of Parliament amended decrees of October 2001 establishing the Catholic and Baptist universities to make it clear that the property would be returned to the churches if the religious universities closed for any reason. As the Senate had adopted the decrees without amendment, a conference committee is expected to adopt these amendments for final passage in the fall session of Parliament.

During the period covered by this report, the State Secretariat for Religious Denominations, along with religious denominations and local authorities, sponsored approximately 10 seminars and symposia on the role of religious denominations in assisting child protection (in Bucharest, in July 2001), on ecumenism (in Calarasi County), on the relationship between the state and religious denominations (in 8 counties), and an international seminar on the state and religious denominations (in Cluj, in May 2002). In addition, the State Secretariat for Religious Denominations organized and played the role of mediator in a meeting of the Orthodox and Greek Catholic Churches in Bucharest on April 5, 2002.

Christmas and the Orthodox Easter are national holidays, but this does not appear to affect any of the other religious groups. Members of the other recognized religions that celebrate Easter are entitled by law to have an additional holiday. Religious leaders occasionally play a role in politics. In particular, many Orthodox leaders make public appearances alongside prominent political figures on various occasions.

Most mainstream politicians have criticized anti-Semitism, racism, and xenophobia publicly. At an international symposium on this issue, President Ion Iliescu, Prime Minister Adrian Nastase, and several members of the cabinet (the Minister of Foreign Affairs, the Minister of Culture and Religious Denominations, and others) made public statements on various occasions against extremism, anti-Semitism, and xenophobia and criticized attempts to deny the Holocaust in the country and to rehabilitate WWII dictator and executed war criminal Marshal Ion Antonescu. In March 2002, a course in the history of the Holocaust was included among subjects to be studied at the National War College. During the same month, the Government issued two decrees aimed at anti-Semitism. On March 13, the Government issued Decree 31 which bans fascist, racist, or xenophobic organizations and symbols and prohibits fostering the cult of personality of war criminals. Decree 36, which was issued on March 21, protects Jewish cemeteries and synagogues. In accordance with ordinance 31, three statues of Antonescu located on public land (in Piatra Neamt, Slobozia and Letcani) were taken down at the end of March and in the first half of April. A Marshal Ion Antonescu square in Piatra Neamt was renamed at the end of April. The Minister of Culture and Religious Denominations announced that the Government planned to inaugurate a memorial of the Holocaust in Targu; however, this had not occurred by the end of the period covered by this report.

#### *Restrictions on Religious Freedom*

Although protected by law, several minority religious groups, which include both recognized and unrecognized religions, made credible complaints that low-level government officials and Romanian Orthodox clergy impeded their efforts to proselytize, interfered in religious activities, and otherwise discriminated against them during the period covered by this report. Due to its substantial influence, few politicians sponsor bills and measures that would oppose the Orthodox Church. Local officials tend to be tolerant but often are pressured and intimidated by the Orthodox clergy. According to one official of the State Secretariat for Religious Denominations, such cases are caused by personal feuds at the local level and overly aggressive attitudes by minority religious groups toward the Orthodox Church. In some instances, local police and administrative authorities tacitly supported, at times violent, societal campaigns against proselytizing (see Section III). There is no law against proselytizing, nor is there a clear understanding by the authorities of what activities constitute proselytizing.

The Government has not granted any religious group status as a religion since 1990. Representatives of religious groups that sought recognition after 1990 allege that the registration process was arbitrary and unduly influenced by the Romanian Orthodox Church, and that they did not receive clear instructions concerning the requirements. The Organization of the Orthodox Believers of Old Rite, Jehovah’s Witnesses, the Adventist Movement for Reform, the Baha’i Faith, and the (Mormons)

are some of the religious groups that have tried unsuccessfully to register as religions. The Baha'i Faith stated that it has never received an answer to its repeated requests to be registered as a religious denomination. Despite a Supreme Court Ruling in March 2000 calling on the State Secretariat for Religious Denominations to issue an administrative document recognizing Jehovah's Witnesses, this religious group consistently has been denied religion status. On May 14, 2002, the State Secretary for Religious Denominations told members of Jehovah's Witnesses that the Ministry of Culture and Religious Denominations was drafting the administrative document in question and that the process would be completed by the end of June; however, it had not yet been completed by the end of the period covered by this report.

One explanation given by the State Secretariat for Religious Denominations for a failure to register new religions was that recognition requires a decree issued by the Presidium of the Grand National Assembly, a Communist era institution that no longer exists. Since no new legislation has been passed in this regard, the State Secretariat stated that the registration of any new religion is not possible. While this appears to have been overtaken by the Supreme Court's demand that Jehovah's Witnesses be recognized, the confusing set of laws governing recognition appears to have impeded the process.

Unrecognized religions receive no financial support from the State, other than limited tax and import duty exemptions, and are not permitted to engage in profit-making activities. As of May 2001, religious groups registered as foundations or charitable organizations are allowed to rent or build office space only; they were not permitted to build churches or other buildings designated as houses of worship.

Representatives of minority religious groups dispute the 1992 census results and claimed that census takers in some cases simply assigned an affiliation without inquiring about religious affiliation. Religious minorities also made credible complaints about irregularities during the 2002 census, including failures by census-takers to ask for religious affiliation; census-takers who did not know or refused to write down the appropriate code for a minority religion, who suggested the answer to the question on religious affiliation, and who tried to influence the answers. The Greek Catholic Church, the Catholic Church, and the Baha'i Faith complained about such irregularities.

In addition, representatives of several minority religious groups complain that allocation of off-budget funds (special funds maintained by the Government for use in cases of emergency) is biased towards the Romanian Orthodox Church. For example, minority religious groups complained that Orthodox churches were built in areas without Orthodox believers. In 2001 off-budget funds amounting to approximately \$3,380 million (98,284 million lei) were granted to the Orthodox Church by government decisions. Except for the Roman-Catholic Church, which received some \$69,000 (2,000 million lei), none of the other religious denominations received any off-budget funds in 2001. According to the State Secretariat for Religious Denominations, off-budget funds are distributed depending on the needs of the various religious denominations.

In May 2001, the Government instituted new regulations for the commission. While these new regulations no longer differentiate between recognized religions and unrecognized religions in terms of the types of places of worship that can be built, they include provisions that could make approvals more difficult to obtain. For example, the commission is entitled to decide on the "opportuneness" of building the place of worship. While most minority religions reported that they had received permits to build places of worship without any difficulty, some of them made credible complaints that these regulations generated delays in the process. According to Baptist reports, although this Church's requests for permits were approved at central level, its intention to build places of prayer have been obstructed at the local level in Slobozia-Arges County, Bucharest, and Sighetu Marmatiei-Maramures County.

In 2001 the Commission approved 259 applications for the construction of places of worship, rejected 62 such applications, and asked 20 other applicants for additional data to document their cases. Of the 259 permits, 157 were granted to the Orthodox Church, 7 to the Catholic Church, 28 to the Greek Catholic Church, 1 to the Reformed Church, 22 to the Baptist Church, 15 to the Pentecostal Church, 8 to the Seventh-Day Adventist Church, 5 to Jehovah's Witnesses, and the rest to other religions.

The law does not prohibit or punish assembly for peaceful religious activities. However, several different minority religious groups complained that on various occasions, local authorities and Orthodox priests prevented religious activities from taking place, even when the groups had been issued permits. The Evangelical Alliance reported difficulties in getting approvals to use public halls for religious activities following negative press campaigns terming them "neo-Protestant religious

sects.” Even when the Church could obtain permission, Orthodox priests incited the local population against activities sponsored by the Adventist Church (in Probata-Iasi County) and by the Evangelical Alliance (in Niculitel-Tulcea County). In Probata the intervention of local authorities resolved the issue. After the incident in Niculitel, the local press accused the Evangelical Alliance of involvement in the desecration of the local Orthodox cemetery. There was no report of the Alliance’s call for a police investigation to identify the actual perpetrators. The Evangelical Alliance also believes that, after the incident in Niculitel, local authorities were ordered not to rent public halls to this religious group.

The Government permits, but does not require, religious instruction in public schools. Attendance at the classes is optional. Only the 15 recognized religions are entitled to hold religion classes in public schools. While the law permits instruction according to the faith of students’ parents, minority recognized religious groups complain that they have been unable to have classes offered in their faith in public schools. According to minority religious groups, this happens mostly because the local inspectors for religion classes are Orthodox priests who deny accreditation to teachers of other religions. The Baptist Church reported that it has been denied access to teach religion in some schools, including in Grozesti-Mehedinti County. Religious teachers are permitted to instruct only students of the same religious faith. However, minority religious groups credibly asserted that there were cases of children pressured to attend classes of Orthodox religion. The Jehovah’s Witnesses Association reported one case in Hunedoara (Hunedoara County) where a child member was subject to the threat of not graduating unless she attended the Orthodox religion classes.

Only the 15 recognized religions are entitled to give religious assistance to prisoners. Minority recognized religious groups complained that Orthodox priests denied them access to some penitentiaries. Since the State Secretariat for Religious Denominations has failed to issue an administrative decree to grant the Jehovah’s Witnesses recognized status, they also have been denied access to prisons.

Law 195 of November 2000 entitles the 15 recognized religions to have military clergy trained to render religious assistance to conscripts. However, according to minority religions, with the exception of two representatives of the Catholic Church and the Evangelical Alliance, the military clergy is comprised only of Orthodox priests. As a non-recognized religion, ordained ministers of Jehovah’s Witnesses are not exempted from alternate military service, as ordained ministers from recognized religions are. Furthermore, according to the group’s doctrine, all members are considered to be ordained ministers. Fourteen such ministers have received suspended court sentences in the past. Despite a Supreme Court ruling of October 2001 that in essence decreed that not serving alternate military service is not a crime, the fourteen ministers still have criminal records. They have asked the Prosecutor General to recognize the Supreme Court ruling, a normal legal procedure, and clear their records. This had not happened by the end of the period covered by this report. Members of Jehovah’s Witnesses also have difficulty burying their dead in some areas where there are only denominational cemeteries, in Homorod and Horghiz (Brasov County).

In June 2002, the Parliament passed a law restituting large numbers of religious properties confiscated by the Communist regime. Some religious or communal property had already been returned to former owners as a result of government decrees, or with the agreement of local religious leaders. The center-right government in office between 1996 and 2000 issued 4 decrees and a government decision, which resulted in the restitution of 100 buildings to religious and national minorities. An October 2000 government decree created a commission to consider a list of properties submitted by churches under Decree 94 of 2000. According to this decree, both the Hungarian churches and the Greek Catholic Church would have received buildings. However, following the election of a new Government in 2000, implementation of this decree was halted, and no properties actually have been restituted under the provisions of Decree 94 of 2000. Decree 94/2000 subsequently became the basis of legislation that did return church property.

In many cases religious minorities have not succeeded in regaining actual possession of the properties despite restitution by these decrees. Many properties returned by decree house state offices, schools, hospitals, or cultural institutions that would require relocation, and lawsuits and protests by current possessors have delayed restitution of the property to the rightful owners.

Law 10 of 2001 on nationalized buildings, passed in January 2001, specified that a different law was to address the restitution of communal property. According to a protocol of cooperation signed by the Social Democratic Party with unofficial coalition partner the Hungarian based Democratic Union of Romanian Magyars, a law on the restitution of religious property was to be drafted by April 30, 2002. After

some discussion, the two parties agreed that instead of drafting a new bill, they would expedite the process by amending Decree 94/2000, which was being debated in Parliament. Decrees are law until ratified, amended, or nullified by Parliament. Decree 94/2000 has passed the lower house of the legislature, the Chamber of Deputies. The Senate amended 94/2000, and a conference committee accepted the Senate's amendments. Both houses adopted the conference report at the end of June. The final version is expected to reconstitute all church properties. The buildings used by public institutions (such as museums, schools, and hospitals) are to remain in their hands for a period of 5 years, during which time they are to pay rent to the churches. The majority of church properties belong to this category. However, this law does not address the distinctive and sensitive issue of the Greek Catholic churches.

In February 2002, the Orthodox Patriarch in a letter to the Minister of Justice described court rulings in favor of returning Greek Catholic Churches now in the hands of the Orthodox Church as "illegal and abusive" and stated that decisions on such cases should be made only by the joint Orthodox-Greek Catholic committee. The Minister of Justice distributed the letter to all Courts of Appeal asking for their careful consideration.

In early June, 2002, the Pope called for the restitution of the Catholic Church properties during a meeting with the Romanian Ambassador to the Vatican. The authorities interpreted the appeal as not referring to the Greek Catholic Church. In order to clarify this issue, on June 14, 2003 the Greek Catholic Archbishop addressed an open letter to the Romanian President, emphasizing that the Pope, by mentioning the "joint committee of dialogue," obviously had meant the Greek Catholic Church. The letter called for a law to reconstitute the churches of this denomination.

The Greek Catholic Church was the second largest denomination (approximately 1.5 million adherents out of a population of approximately 15 million) in 1948 when Communist authorities outlawed it and dictated its forced merger with the Romanian Orthodox Church. At the time of its banning, the Greek Catholic Church owned over 2,600 churches, which were confiscated by the State and then given to the Orthodox Church, along with other facilities. Other properties of the Greek Catholic Church, such as buildings and agricultural land, became state property.

According to the State Secretariat for Religious Denominations, the Greek Catholic Church has received 150 of the churches transferred by the Communists to the Orthodox Church; the Greek Catholics claim that they have received only 143 such properties. The Greek Catholic Church has very few places of worship. Many followers still are compelled to hold services in public places (approximately 285 cases, according to Greek Catholic reports) or in parks (4 cases, in Baia Mare, Satu Mare, Sangeorzul Nou, and Rosia Montana, according to the same reports.) In 1992 the Government adopted a decree that listed 80 properties owned by the Greek Catholic Church to be returned. Between 60 and 65 of them had been returned by the end of the period covered by this report. In some cases, Orthodox priests whose families had been Greek Catholics converted back to Greek Catholicism and brought their parishes and churches back with them to the Greek Catholic Church. In several counties, in particular in Transylvania, local Orthodox leaders have given up smaller country churches voluntarily. For example, in the Diocese of Lugoj in the southwestern part of the country, local Orthodox Church representatives have reached agreement on the return of an estimated 160 churches; however, for the most part Orthodox leaders have refused to return to the Greek Catholics those churches that they acquired during the Communist era. Since July 2001, the Greek Catholic Church has recovered only two or three churches. Since 1990 the Greek Catholic Church has received back an estimated 8.5 percent of its churches, 2.4 percent of the parish houses, 3.9 percent of other confiscated buildings, 2.4 percent of the agricultural land, and 12.3 percent of the forest land. Orthodox Archbishop of Timisoara, Nicolae Corneanu, was responsible for returning approximately 50 churches, including the cathedral in Lugoj, to the Greek Catholic Church. However, due to his actions, the Orthodox Holy Synod marginalized Archbishop Corneanu, and his fellow clergymen criticized him.

A 1990 government decree called for the creation of a joint Orthodox and Greek Catholic committee at the national level to decide the fate of churches that had belonged to the Greek Catholic Church before 1948. However, the Government has not enforced this decree, and the Orthodox Church consistently has resisted efforts to resolve the issue in that forum. The committee did not meet until 1998, had three meetings in 1999, met once in 2000, and one more time in 2001. The courts generally refuse to consider Greek Catholic lawsuits seeking restitution, citing the 1990 decree establishing the joint committee to resolve the issue. From the initial property list of 2,600 seized properties, the Greek Catholic Church has reduced the number of churches that it is asking to be returned to fewer than 300. Only six churches

have been restituted as the result of the joint committee's meetings. Restitution of the existing churches is important to both sides because local residents are likely to attend the church whether it is Greek Catholic or Orthodox. Thus the number of members and share of the state budget allocation for religions is at stake. At the most recent meeting of the joint committee on September 27, 2001, the Orthodox Church called on the Greek Catholic Church to give up all lawsuits on restitution claims in order to resolve them by dialog. The Greek Catholic Church in turn has reiterated its core claim: The restitution of its former cathedrals and district churches, and the return of one church in localities where there are two churches and one of them had belonged to the Greek Catholics (or at least to hold the religious service in turns). The next meeting of the national joint committee is scheduled for September 2002. Despite the stated desire for dialog, the Orthodox Church has demolished Greek Catholic churches under various pretexts. For example, Greek Catholic churches (some of them being historical monuments) were demolished in Vadu Izei (Maramures County), Baisoara (Cluj County), Smig (Sibiu County), Trittenii de Jos (Cluj County), and Craiova (Dolj County). Other churches are threatened with demolition in Ungheni (Mures County) and Urca (Cluj County). The church of a famous Greek Catholic Monastery of Nicula (Cluj County) is in a similar situation. Following increasing tensions in some localities, the Ministry of Culture and Religious Denominations called and mediated a meeting of the two churches on April 5, 2002. The Minister of Culture announced at the meeting the Government's intention to help the Greek Catholic Church build 50 wooden churches, a solution that does not fully satisfy Greek Catholic Church claims.

In February 2002, the Orthodox Patriarch in a letter to the Minister of Justice described court rulings in favor of the Greek Catholic Church as "illegal" and "abusive" and stated that decisions on such cases should be made only by the joint Orthodox-Greek Catholic committee. The Minister of Justice distributed the letter to all Courts of Appeal and asked for its careful consideration.

The historical Hungarian churches, including the Roman Catholic as well as the Protestant churches (Reformed, Evangelical, and Unitarian), have received a small number of their properties back from the Government. Churches from these denominations were closed but not seized by the Communist regimes. However, the Communist regimes confiscated many of these groups' secular properties, which still are used for public schools, museums, libraries, post offices, and student dormitories.

Approximately 80 percent of the buildings confiscated from the Hungarian churches are used "in public interest." Of the 1,791 buildings reclaimed by the Hungarian churches, 113 buildings were restituted by government decrees. Of these 113, 80 should have been restituted according to government Decree 94 of 2000. Of the remaining 33, the Hungarian churches could take full or at least partial possession of only 18 buildings. Restitution of the remainder has been delayed due to lawsuits or opposition from current possessors. For example, restitution under Decree 13 of 1998 of the Roman-Catholic Bishop's Palace in Oradea and the Bathyanæum Library (which had also belonged to the Roman Catholic Church) has been delayed by lawsuits. In addition, the Minister of Culture and Religious Denominations has stated that he is opposed to their restitution, irrespective of the court rulings on these lawsuits. Following Party of Social Democracy-Hungarian Democratic Federation of Romania (PSD-UĐMR) discussions, at the beginning of May, steps were made toward speeding up the actual restitution of 13 buildings (9 of them belonging to the Hungarian churches) returned by previous decrees.

The Jewish community has received 42 buildings by government decree. Of these, the community has completed the paperwork for the restitution of only 15, and lawsuits are in progress for 7 of these 15 properties. The Jewish community has been able to reclaim land only in Iasi, where it received 15 pieces of land (of former synagogues and schools) between 1999 and 2000.

Another problem with restitution is often a simple refusal by the possessor to return a property or pay rent for occupancy. The nominal owner still can be held liable for payment of property taxes in such cases. For example, the former Reformed College was restituted to the Reformed Church in Cluj by government decree in 1999. The building currently is used as a high school, which does not pay any rent, and the Reformed Church has had to pay property taxes but has not been able to occupy the property.

According to Law 1 of 2000, religious denominations are entitled to claim between 25 to 250 acres of farmland (depending on the type of religious unit—parish, eparchy, bishopric, etc.)—and up to 75 acres of forest land from properties seized by the Communists. This is the first law that establishes a systematic procedure for churches to claim land. The enforcement of this law has been slow, largely due to Government desires to further amend the law. This process was almost completed

at the end of the period covered by this report. The amendments do not affect restitution to religious denominations.

The Hungarian churches repeatedly have expressed dissatisfaction with the Government's failure to allow by law the establishment of confessional schools subsidized by the State.

There were no reports of religious detainees or prisoners.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

There are generally amicable relations among the different religious groups. However, the Romanian Orthodox Church repeatedly has criticized strongly the "aggressive proselytizing" of Protestant, neo-Protestant, and other religious groups, which the Church has repeatedly described as "sects." There is no law against proselytizing, or clear understanding of what activities constitute proselytizing. Proselytizing that involves denigrating established churches is perceived as provocative. This has led to conflicts in some cases. The press reported several cases in which adherents of minority religions were prevented by others from practicing their faith, and local law enforcement authorities did not protect them. For example, in August 2001, members of the "New Right" (Noua Dreapta) organization (a small, right-extreme group with nationalistic, xenophobic views) harassed Mormon missionaries in Sibiu on the street and allegedly attacked two of them. A couple of windows of the Mormon headquarters in Sibiu were broken with bricks, allegedly by the same harassers. In 2001 Jehovah's Witnesses filed a complaint with the European Court of Human Rights (ECHR) regarding the sentencing of six of its members from Mizil to pay fines on charges of insult and assault in a trial initiated by persons linked with the Orthodox Church in 2000. The ECHR's decision was pending at the end of the period covered by this report.

The centuries-long domination of the Orthodox Church, and its status as the majority religion, has resulted in the Orthodox Church's reluctance (in particular at the local level and with the support of low-level officials) to accept the existence of other religions. Consequently, actions by other religious groups to attract members are perceived by the Orthodox Church as attempts to diminish the number of its members. Due to its substantial influence, few politicians dare to sponsor bills and measures that would oppose the Orthodox Church. According to minority religious groups, the population is receptive to minority Christian confessions, and local officials in many cases tend to be tolerant but often are pressured and intimidated by the Orthodox clergy. Minority religious groups allege that the Orthodox clergy have provoked isolated mob incidents. The Adventist Church reported such incidents in Botosani, Buzau, and Galati counties.

Members of Jehovah's Witnesses complain that the number of cases in which their ministers have been abused verbally and physically by persons incited by Orthodox priests (who often took an active part in these actions) increased in 2002. Such cases were reported in Sutesti and Dragasani (Valcea County) and Budesti (Bistrita Nasaud County).

Representatives of minority religions credibly complain that only Orthodox priests grant religious assistance in hospitals, children's homes, and shelters for the elderly. Charitable activities carried out by other churches in children's homes and shelters often have been interpreted as proselytizing.

The Baptist Church reported that, in May 2002, an Orthodox priest disrupted a Baptist burial ceremony in Cruset (Dolj County). The Church also reported a series of peaceful assemblies that were disrupted by noisy groups, allegedly incited by Orthodox clergy, including incidents in Ivrinezu Mare, Oltina, Harsova (Constanta County) and in Braila and Galati Counties (Balabanesti, Balasesti, Bordei Verde, Gropeni, Traian, Unirea, Tudor Vladimirescu, and others).

In addition, the dialog between the Orthodox and the Greek Catholic churches has not eliminated disputes at the local level and has led to little real progress in solving the problem of the restitution of the Greek Catholic assets (see Section II).

The disputes between Greek Catholics and Orthodox believers over church possession have increased in number during the period covered by this report. In many cases the Greek Catholics decided to build new churches, following lack of progress in obtaining their properties either by dialog with the Orthodox Church or in court. However, tensions continue to exist in localities where the Orthodox Church refused to enforce court rulings ordering alternate service in former Greek Catholic churches

(for example, Chiuesti in Cluj County) or restitution of churches to the Greek Catholic Church. In mid-March 2002, in Ocna Mures (Alba County), the Orthodox priest along with a group of believers occupied by force, at night, with the help of the police, a church restituted by court ruling to the Greek Catholic Church. In Prunis (Cluj County), where most of the residents belong to the Greek Catholic Church, tensions continue due to a longstanding lawsuit. The Greek Catholic priest and the believers from Mihalt (Alba County) sponsored a series of protests in Alba Iulia and Bucharest following the Orthodox Church's refusal to return their church and the priest's house. At the Orthodox Church's request, the Greek Catholic Church previously had dropped the lawsuits in this locality.

In Decea (Alba County), tensions increased in 2001 when the Orthodox priest locked the church so that the Greek Catholics could not use it. In April 2002, the Orthodox Church agreed to give its old church to the Greek Catholics and to use the Greek Catholic one itself. Churches also are kept locked in Chinteni (Cluj County), Rodna (Bistrita Nasaud County) and Singeorzul Nou (Bistrita Nasaud County).

Between February and April, 2002, in Racovita, the local Orthodox priest's refusal to implement Orthodox Archbishop Corneanu's decision to restore a church to the Greek Catholics led to tension.

In Bicsad (Satu Mare County), where the Greek Catholics obtained a government decision restituting a former Greek Catholic monastery, the Greek Catholic Church still could not take possession of the monastery because of the opposition of the local Orthodox clergy. Local authorities have not supported the enforcement of the Government's decision.

In Dumbraveni the Orthodox Church continues to refuse to enforce a previous court ruling to share a local church with the Greek Catholic Church. Short-term prospects for the return of the Greek Catholic church are dim, since restitution is contingent on construction of a new Orthodox church, which is scheduled to take many years.

The fringe press continued to publish anti-Semitic articles. The Legionnaires (also called the Iron Guard, an extreme nationalist, anti-Semitic, pro-Nazi group that existed in Romania in the inter-war period) continued to publish books from the inter-war period. Religious services to commemorate legionnaire leaders continue to be held in Orthodox churches. A legionnaire commemorative meeting took place in Bucharest at the end of June 2002. Also at the end of June, the local police confiscated 2,000 copies of an anti-Semitic book, "The History of Moldova," published in Arad by a U.S.-based Iron Guard member.

Three textbooks on religious groups and ecumenism, authored by an Orthodox deacon for use in state-funded theological institutions, art high schools, teacher, and vocational schools, contained anti-Semitic, pro-Facist, and anti-ecumenical ideas. In August 2001, a member of the extreme-right "Greater Romania" Party (PRM) published a book called the "Nationalist," which included xenophobic and chauvinistic ideas. The book was criticized widely by the national media and leadership, and the PRM leadership disowned the book.

During the period covered by the report, Jewish cemeteries were desecrated in six localities: Timisoara, Bucharest, Deva, Barlad, Radauti, and Carei. The perpetrators could not be identified, but are believed to have been local youths, rather than members of an organized anti-Semitic movement. Three synagogues (in Buhusi, Focsani, and Dej) were desecrated during the same period. On May 18, 2002, a synagogue was desecrated in Falticeni. A torah roll was stolen and anti-Semitic graffiti were written on the walls. Police started an investigation but simultaneously criticized obliquely the Jewish community for not having protected the synagogue with an alarm system.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy also maintains close contact with a broad range of religious groups in the country. Embassy staff, including the human rights officer, political counselor, and the Ambassador, met with religious leaders and government officials who work on religious affairs in Bucharest and in other cities.

In addition, embassy staff members are in frequent contact with numerous NGO's that monitor developments in the country's religious life. U.S. officials have lobbied consistently in government circles for fair treatment on property restitution issues, including religious and communal properties. The Embassy has a core group of offi-

cialists who focus on fostering good ethnic relations, including relations between religious groups.

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## RUSSIA

The Constitution provides for freedom of religion and the Government generally respects this right in practice. Although the Constitution also provides for the equality of all religions before the law and for the separation of church and state, in practice the Government does not always respect the provision for equality of religions, and in some instances the authorities, primarily at the local level, imposed restrictions on some religious groups.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion; however, some federal agencies and many local authorities continued to restrict the rights of some religious minorities in some regions.

Despite court decisions that have liberalized its interpretation, a complex 1997 law "On Freedom of Conscience and Associations" seriously disadvantages religious groups that are new to the country by making it difficult for them to register as religious organizations. Unregistered groups lack the juridical status necessary to establish bank accounts, own property, invite foreign guests, publish literature, or conduct worship services in prisons, state owned hospitals, and among the armed forces. However, persons affiliated with unregistered faiths generally may rent facilities for holding religious services as individuals.

Religious matters are not a source of societal hostility for most citizens, although popular attitudes toward traditionally Muslim ethnic groups are negative in many regions, and there are manifestations of anti-Semitism as well as societal hostility toward newer, non orthodox, religions. There appear to be continued instances of religiously motivated violence, although it is often difficult to determine whether religious or ethnic differences were the primary cause of individual cases of violence. Relations between different religious organizations frequently are tense, particularly at the leadership level. Conservative groups encouraged by, or claiming ties to, the Russian Orthodox Church staged a number of anti-Catholic demonstrations throughout the country.

The U.S. Government has continued to engage the Government, a number of religious denominations and groups, nongovernmental organizations (NGO's), and others in a steady dialog on religious freedom.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 6.5 million square miles and its population is approximately 144 million.

There are no reliable statistics that break down the country's population by denomination. Available information suggests that slightly more than half of all inhabitants consider themselves Russian Orthodox Christians, although the vast majority of those are not regular churchgoers. By all estimates, Muslims form the largest religious minority; the highest counts are based on the aggregate population of traditionally Muslim ethnic groups. By some estimates, Protestants constitute the third largest group of believers. An estimated 600,000 to 1 million Jews remain in the country (0.5 percent of the total population) following largescale emigration over the last 2 decades. Approximately 80 percent of Jews live in Moscow or St. Petersburg.

According to the most recent statistics released by the Ministry of Justice, as of January 1, 2001, 20,215 religious organizations were registered or reregistered, compared with approximately 16,000 in 1997. Religious freedom advocates accept the January 2001 figures as essentially accurate. According to those figures, the number of groups recorded as registered by the Ministry of Justice in January 2001 was as follows: Russian Orthodox Church—10,912 groups, Autonomous Russian Orthodox Church—165, Russian Orthodox Church Abroad—40, True Orthodox Church—65, Russian Orthodox Free Church—29, Ukrainian Orthodox Church (Kiev Patriarchate)—10, Old Believer—278 (divided into 4 separate groups), Roman Catholic—258, Greek Catholic—5, Armenian Apostolic—42, Muslim—3,048, Buddhist—193, Jewish—197 (including 176 Orthodox and 21 Reform groups), Baptist—975, Pentecostal—1,323, Seventh-Day Adventist—563, other evangelical and charismatic groups—784, Lutheran—213 (divided into 4 separate groups), Apostolic—86, Methodist—85, Reformist—3, Presbyterian—192, Anglican—1, Jehovah's Witnesses—330, Mennonite—9, Salvation Army—7, Church of Jesus Christ of the Latter-Day Saints

(Mormons)33, Unification Church—17, Church of the “Sovereign” Icon of the Mother of God—28, Molokane—19, Dukhobor—1, Church of the Last Covenant—15, Quaker—1, Church of Christ—19, Judaizing Christian—5, nondenominational Christian—156, Scientologist—1, Hindu—4, Krishna—106, Christian Scientist—2, Baha’i—19, Tantric—3, Taoist—9, Assyrian—1, Sikh—1, Coptic—1, Shamanist—6, Karaites—2, Zoroastrian—2, Spiritual Unity (Tolstoyan)2, Living Ethic (Rerikhian)2, pagan—41, other confessions—7. Buddhism is traditional to three of the country’s regions: Buryatiya, Tuva, and Kalmykiya.

The number of registered religious organizations does not reflect the entire demography of religious believers. For example, due to legal restrictions, poor administrative procedures on the part of some local authorities, or intra-confessional disputes, an unknown number of groups has been unable to register or reregister. An estimated 500 to several thousand Muslim organizations remain unregistered; some reportedly are defunct, and many reportedly have concluded that they did not require legal status. The registration figures probably also underestimate the number of Pentecostal believers. New Pentecostal organizations are being formed rapidly, and unofficial estimates suggest that there are between 1,500 and 2,000 Pentecostal congregations nationwide, many of which are unregistered despite their efforts. The Unification Church has several organizations which it is unable to register. The Scientologists also have several groups that are registered as social organizations because they are unable to register as religious organizations.

In practice few citizens identify strongly with any religion. Many who identify themselves as members of a faith participate in religious life only rarely, if at all. For example, while an estimated 64 percent of respondents to a 2000 Public Opinion Foundation poll identified themselves as members of a particular faith, only 19 percent said that they visited a place of worship more than once or twice a year (many Orthodox believers attend church at Christmas and/or Easter). An estimated 11 percent of respondents said that they observed Lent or other fasts. Only 4 percent of respondents stated that they took communion more than once or twice a year (in the Orthodox tradition, taking communion requires personal preparation by fasting, confession, and prayer).

A large number of foreign missionaries operate in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion and the Government generally respects this right in practice. Although the Constitution also provides for the equality of all religions before the law and for the separation of church and state, in practice the Government does not always respect the provision for equality of religions, and in some instances the authorities, primarily at the local level, imposed restrictions on some religious groups.

There is no officially recognized state religion, although the preamble to the 1997 Law on Freedom of Conscience identifies Russian Orthodoxy, Judaism, Islam, and Buddhism as “traditional religions” and recognizes the “special contribution of Orthodoxy to the history of Russia and to the establishment and development of Russia’s spirituality and culture.” The law accords no privileges or advantages to these confessions; however, many politicians and public figures argue for closer cooperation with traditional religions, above all with the Russian Orthodox Church’s Moscow Patriarchate. Some officials also speak of the need to protect the “spiritual security” of the country by discouraging the growth of “sects” and “cults,” usually understood to include many Protestant and newer religious movements. The Russian Orthodox Church has entered into a number of agreements, some formal, others informal, with government ministries on such matters as guidelines for public education, religious training for government employees and military personnel, and, in certain cases, law enforcement and customs decisions, that appear to give it a preferred position. Since 1999 there have been indications of a closer relationship between the Russian Orthodox Church and the State. Nonetheless, policymakers remain divided on the State’s proper relationship with the Russian Orthodox Church and other churches.

A 1990 Soviet law, which became part of the Russian Federation’s legal code, declared all religions equal before the law, forbade government interference in religion, and established simple registration procedures for religious groups. Registration of religious groups was not required, but groups could obtain a number of advantages by registering, such as the ability to establish official places of worship or benefit from tax exemptions. The 1990 law helped facilitate a revival of religious activity.

The 1997 religion law ostensibly targeted so called “totalitarian sects” or dangerous religious “cults.” However, the intent of some of the law’s sponsors appears to have been to discriminate against members of foreign and less established religions by making it difficult for them to manifest their beliefs through organized religious institutions. Among the law’s most controversial provisions are those that limit the rights, activities, and status of religious “groups” existing in the country for less than 15 years and require that religious groups exist for 15 years before they can qualify for “organization” status. Religious organizations that register with the state acquire the status of juridical persons and thus receive certain advantages over unregistered organizations.

The 1997 law is very complex, with many ambiguous and contradictory provisions. It creates various categories of religious communities with differing levels of legal status and privileges. The law distinguishes between religious “groups” and “organizations,” and creates two categories of organizations: “regional” and “centralized.” A religious “group” is a congregation of worshipers that is not registered and consequently does not have the legal status of a juridical person: it may not open a bank account, own property, issue invitations to foreign guests, publish literature, or conduct worship services in prisons and state owned hospitals. A “group” does not enjoy tax benefits and other rights extended to religious organizations, such as the right of its members to proselytize. The law does not address directly the rights of individual members of groups in other respects. For example, a member of a religious group may buy property for the group’s use, invite personal guests to engage in religious instruction, and import religious material. In this way, groups theoretically are permitted to rent public spaces and hold services. Nonetheless, in practice, some unregistered groups encounter significant difficulty in exercising these rights. The 1997 law provides that local congregations that have existed for 15 years and have at least 10 members who are citizens may register as local “organizations.” A confession that has three functioning local “organizations” in different regions may found a “centralized religious organization.” A centralized organization has the right to establish affiliated local organizations without adhering to the 15-year rule, although it must assume fiscal responsibility for them. In implementing that provision, the Government has extended the definition of a centralized organization to include a “registered centralized managing center.”

There is evidence that the Procurator General has encouraged local prosecutors to challenge the registration and reregistration of some nontraditional religious groups. In a number of such cases, local courts have upheld the right of nontraditional groups to register or reregister.

In practice the registration process, which involves simultaneous registration at both the federal and local levels, has proven to be onerous for a number of confessions, because it requires considerable time, effort, and legal expense. International and well funded domestic religious organizations, in particular, began the reregistration process soon after publication of the regulations governing reregistration. However, other religious groups faced significant problems in registration and reregistration, and local officials refused to register some groups.

The 1997 law, as amended, required all religious organizations previously registered under the more liberal 1990 law to reregister by December 31, 2000, or be subject to the legal process of “liquidation,” i.e. deprivation of juridical status. By the deadline, an estimated 2,095 religious groups were subject to liquidation and the Ministry of Justice reported that by May 2002, approximately 980 of them had been liquidated. The Ministry asserted that most liquidated organizations were defunct; however, religious minority denominations and NGO’s contended that a significant number were active.

On March 7, 2002, the Constitutional Court ruled that the Moscow Department of the Justice Ministry was not justified in liquidating the Salvation Army on the basis of its non reregistration when the group had made an active attempt to comply with the 1997 law’s requirements. In April 2002, the Church of Scientology cited this ruling to challenge successfully its liquidation by a Moscow court. The extent to which the Salvation Army ruling may affect the reregistration cases of yet other religious organizations remains unclear. Despite the Court’s ruling the Salvation Army still was not registered by the end of the period covered by this report.

Contradictions between federal and local law in some regions, and varying interpretations of the law, provide regional officials with pretexts to restrict the activities of religious minorities. Discriminatory practices at the local level also are attributed to the relatively greater susceptibility of local governments to lobbying by local majority religions, as well as to discriminatory attitudes that are held widely in society (see Section III). There were isolated instances in which local officials detained individuals engaged in the public discussion of their religious views. Such instances often were resolved quickly. President Vladimir Putin’s articulated desire for greater

centralization of power and strengthened rule of law has led to some improvements in the area of religious freedom in the regions.

The State does not require religious instruction in schools, although in some regions the Russian Orthodox Church uses public buildings after hours to provide religious instruction to pupils on a voluntary basis. In January 2002, at the Tenth International Christmas Readings held in the Kremlin, Education Minister Vladimir Filippov cited a 2000 policy document binding the Government to “ensure the spirituality and morality of the coming generation.” In the spring of 2002, the Pokrov publishing house issued the pro orthodox “Bases of Orthodox Culture” textbook and accompanying materials for use in state schools. According to an April 26 press report, the Coordinating Council for the Cooperation of the Ministry of Education of the Russian Federation and the Russian Orthodox Church recommended the materials for use in state schools. At the end of the period covered by this report, distribution plans were uncertain.

Discussion continued during the period covered by this report on the efficacy of creating a government ministry or organ for religious affairs. Many religious organizations emphasized that such an institution would be unwelcome if it emulated its Soviet predecessor’s repressive activities; many—including some minority religious groups and their advocates—noted that such a body could ensure equal treatment for all faiths under the law. In May 2002, Minister without Portfolio Vladimir Zorin stated that it might be “expedient” to have a “compact, analytical government committee of approximately 60 persons.” He also said that the creation of such a committee would require “coordinated action” by the Government and religious organizations.

Officials of the Presidential Administration, regions, and localities have established consultative mechanisms to facilitate government interaction with religious communities and to monitor application of the 1997 law. At the national level, groups interact with a special governmental inter ministerial commission on religion, which includes representatives from law enforcement bodies, on matters involving implementation of the laws and similar questions. On broader policy questions, religious groups interact with a special department within the Presidential Administration’s Directorate for Domestic Policy. The Presidential Council on Cooperation with Religious Organizations is composed of members of the Presidential Administration, secular academics who are specialists on religious affairs, and representatives of faiths comprising the majority of believers in the country.

The office of federal Human Rights Ombudsman Oleg Mironov contains a department dedicated to religious freedom issues, which receives and responds to complaints from individuals and groups about infringements of religious freedom. Mironov has criticized the 1997 law publicly on many occasions and recommended changes to bring it into accordance with international standards and with the Constitution. In some regions, there also are local human rights ombudsmen with a mandate to address religious freedom issues.

Avenues for interaction with the authorities also exist at the regional and local levels. The administrative structures of at least some of the offices of the Plenipotentiary Presidential District Representatives (polpreds) of the seven districts of the Russian Federation include offices that address social and religious issues. Regional administrations and many municipal administrations also have designated officials responsible for liaison with religious organizations. However, it is at the regional and municipal level that religious minorities often encounter the greatest problems.

The Government has implemented partially an interagency program to combat extremism and promote religious and ethnic tolerance. The original plan called for a large number of interagency measures, such as the review of federal and regional legislation on extremism, mandatory training for public officials on how to promote ethnic and religious tolerance, and new educational materials for use in public educational institutions. Implementation of the plan, which is guided by an interagency commission on combating extremism headed by the Ministry of Education, was sporadic. Nevertheless, at least one NGO was able to work in parallel with the program, participating in training law enforcement and other government officials (both local and federal) in promoting tolerance. The Saint Petersburg NGO Harold and Selma Light Center, in conjunction with a foreign based NGO, conducted successful programs in Petrozavodsk, Ryazan, and Kazan.

On June 27, an anti extremism bill supported by the President passed a final vote in the Duma. It was prompted by instances of religious and ethnic intolerance and the activities of ultra rightwing parties and organizations. It included provisions prohibiting public speech that advocates the superiority of any group based on religion, race, nationality, language, or other attributes. However, some critics charged that the legislation would sanction a dangerous expansion of police power and that

the Government appeared to lack the political will to use existing legislation to its full potential. The legislation was awaiting approval by the upper chamber and signature of the President at the end of the period covered by this report.

The President acknowledged Orthodox Easter, Rosh Hashanah, Ramadan, and the Buddhist New Year with greetings to representatives of the Russian Orthodox Church and the Jewish, Muslim, and Buddhist communities, respectively.

#### *Restrictions on Religious Freedom*

Critics continue to identify several aspects of the 1997 law on religion as problematic for religious freedom. They criticized in particular the provision allowing the State to ban religious organizations, the reregistration requirement, and the liquidation procedure. They also are critical of the provisions that not only limit the rights, activities, and status of religious "groups" existing in the country for less than 15 years, but also require that religious groups exist for 15 years before they can qualify for "organization" status. Implementation of the 1997 law has been a source of concern to many religious minorities, especially those headquartered outside the country. Although the situation is somewhat better for groups that were registered prior to 1997, groups that did not manage to register under the old law or groups that are new to the country are hindered severely in their ability to practice their faith. The federal Government generally has attempted to apply the 1997 law liberally and most allegations of restrictive practices are directed at local officials; however, there is evidence that the Procurator General has encouraged local state prosecutors to challenge the registration and reregistration of some nontraditional religious groups. Implementation of the 1997 legislation has varied widely in the regions, depending on the attitude of local offices of the Ministry of Justice which are responsible for registering new organizations, reregistering existing organizations, liquidating those that do not manage to register, and banning groups deemed a threat to society.

Under the 1997 Law on Freedom of Conscience, the Government may seek to ban a religious organization deemed a threat to society. Unlike liquidation, which involves only the loss of an organization's juridical status, a ban prohibits the activities of an entire religious community. Banning proceedings require judicial review. Since 1998 Moscow's Northern Circuit's procuracy has been seeking to ban the Jehovah's Witnesses as a threat to society. Although that office's 1998 suit to ban the organization at the local level was dismissed in February 2001, a retrial opened at Moscow's Golovinskiy inter municipal court in October 2001. As of June 30, 2002, the retrial still was ongoing. In December 2001, Jehovah's Witnesses filed an application with the European Court of Human Rights (ECHR) in Strasbourg to protest, among other issues, the banning related litigation as state interference in the freedoms of religion and expression, and the resultant prevention of reregistration as state interference in the freedom of association. Moscow Helsinki Group Chair Lyudmila Alekseyeva and the Keston Institute have criticized the litigation as a campaign of oppression. In March 2002, the Council of Europe's Monitoring Committee issued a report stating that "[t]he co-rapporteurs regard the length of the judicial examination in this case as an example of harassment against a religious minority and believe that after 6 years of criminal and legal proceedings the trial should finally be halted."

The 1997 law also required all previously registered organizations to reregister by December 31, 2000. A large majority of groups previously registered under a more liberal 1990 religion law managed to reregister successfully under the 1997 law; however, the process was often problematic, and some groups failed to reregister by the deadline. The registration process, which involves simultaneous registration at both the federal and local levels, requires considerable time, effort, and legal expense. Many international and well funded domestic religious organizations began the reregistration process soon after publication of the applicable regulations, concluding the process relatively quickly. Other religious groups chose not to pursue reregistration. Some Pentecostal congregations refused to register out of philosophical conviction; local officials refused to register others. According to spokespersons for the country's two most prominent muftis, some Muslim groups decided that they would not benefit from reregistering. Other religious groups faced significant problems in registration and reregistration. Local officials, reportedly sometimes influenced by close relations with local Russian Orthodox Church authorities, either refused outright to register groups or created prohibitive obstacles to registration. A lack of specific guidelines to accompany the 1997 law and the shortage of knowledgeable local officials contributed to the problem.

A 1999 amendment to the 1997 law required the Justice Ministry to seek the liquidation of groups that failed to register; under the law's original wording, groups were merely "subject to" liquidation. Liquidation is initiated by the Justice Ministry

and reviewed by a court of law. According to the Justice Ministry, approximately 980 organizations had been liquidated through court proceedings as of May 2002. The Ministry asserted that most liquidated organizations were defunct; however, religious minority denominations and NGO's contended that a number were active. Some organizations appear to have been liquidated after local departments of the Justice Ministry had refused to approve their reregistration applications.

On March 7, 2002, the Constitutional Court ruled that the Moscow City Court had acted improperly in liquidating the local branch of the Salvation Army, since that group had made repeated and timely attempts to reregister under the 1997 law. The liquidation process was initiated by the Moscow branch of the Department of Justice (MDJ), a local branch of the federal Justice Ministry. According to the Salvation Army's lawyers, the Moscow City Court still had not rescinded its liquidation order, and the MDJ still had not registered the organization by the end of the period covered by this report. Moscow officials had obstructed actively the Salvation Army's attempts to register, claiming deficiencies in the documentation accompanying its applications and alleging that the Salvation Army was a paramilitary organization. Shortly before the Constitutional Court decision, the Keston news service published allegations from several religious groups that the MDJ's Vladimir Zhbankov had encouraged each of them individually to engage the services of a law firm with which he was affiliated for "expert advice" on their registration difficulties. Zhbankov reportedly continues to work at the MDJ, although he has been reassigned to a different office.

On April 30, 2002, the Moscow organization of the Church of Scientology successfully challenged a liquidation order by Moscow's Nikulinskiy inter municipal court. The MDJ argued that the Church had failed to reregister by the deadline and therefore must be liquidated. Invoking the March 7 Constitutional Court ruling, the Scientologists' legal team argued that it had attempted to reregister under the 1997 law but that the MDJ had prevented it from doing so. The authorities continued to impede the operation of its centers in Dmitrograd, Khabarovsk, Izhevsk, and other localities.

In September 2001, a court in Kirov ordered the local department of the Ministry of Justice to register the Volga-Vyatsk church, a Pentecostal congregation.

Jehovah's Witnesses have managed to reregister the vast majority of their previously existing religious organizations and a religious center, however they have experienced problems registering in a few locations. When newly registered organizations are added to those that successfully reregistered, the Witnesses organization recorded a total of almost 400 registered local organizations and 1 central organization as of the end of the period covered by this report. In Moscow, the MDJ continues to refuse to register or reregister any community of Jehovah's Witnesses under the 1997 religion law. The Moscow City Court has twice denied the applications on appeal, most recently on February 20, 2002, relying on the ongoing banning trial in the Golovinskiy Court. In addition to Moscow, Jehovah's Witnesses indicate that they have experienced problems with registering in such locations as Tula, Tver, Novgorod, Kabardino-Balkariya, Chuvashiya, and Chelyabinsk. Local officials in Chelyabinsk, Chuvashiya, Tver, and Novgorod denied registration to Jehovah's Witnesses. The Tula community eventually managed to register without going to court. The authorities registered the three local organizations of Jehovah's Witnesses in Kabardino-Balkariya following court decisions in favor of the communities. Litigation was under way in Chuvashiya and Chelyabinsk at the end of the period covered by this report. In Chuvashia a judge sent the application for registration to a group of experts to verify the authenticity of the founders' signatures. In Chelyabinsk a court ruled that the authorities' refusal to register the group was illegal but declined to order registration on technical grounds. The Church of Jesus Christ of the Latter-Day Saints (Mormons) has succeeded in registering 38 local religious organizations; however, in several regions local officials impeded registration. For example, since 1998 the Mormons have attempted unsuccessfully to register a local religious organization in Kazan, Tatarstan. The local Department of Justice in Chelyabinsk continues to reject the local Mormons' registration application, alleging that Mormon activities are incompatible with federal law.

On May 15, 2002, the Magadan city court ordered the local department of justice to rescind its warnings to the local Catholic parish threatening to revoke the parish's registration. Local justice authorities claimed that Father Michael Shields could not serve as the chief administrator of a Russian parish because he is a foreigner. Shields' lawyers argued that, while the law requires a minimum of 10 citizens to register a local religious organization, it says nothing about the nationality of that organization's chief cleric. Furthermore, the lawyers charge that local authorities have denied Shields' request for permanent residency, inappropriately suggesting that the celibate priest marry a Russian woman to gain citizenship, a sug-

gestion that senior Roman Catholic officials deny was made. According to the Slavic Law Center, which represented the parish, several other clerics of the Catholic and other faiths have received similar warnings from local departments of justice. An estimated 85 percent of Catholic clergy in Russia are foreigners. Since the Catholic seminary in St. Petersburg graduated its first class only in 2000, it is expected to be over a decade before substantial numbers of native Russian priests will be available to service the Catholic community.

According to spokespersons for the country's two most prominent muftis, most of the Muslim religious organizations that wanted to register have been able to do so. In the remaining cases, procedural irregularities and mutual accusations of "Wahhabism" by the two principal Muslim groups, the Spiritual Directorate of Muslims in European Russia and Siberia, based in Ufa and led by Mufti Talgat Tadzhuddin, and the Moscow-based Russian Council of Muftis, led by Chief Mufti Ravil Gainutdin, appears to have hindered reregistration efforts by Muslim organizations and complicated the process, since this label may have made local officials and ethnic Russians more wary of Muslim religious organizations in some regions (the word "Wahhabi" refers to a branch of Sunni Islam that has become a pejorative term in Russia because of persistent allegations that "Wahhabi extremism" was to blame for terrorist attacks linked to the war in Chechnya). The regions of Kabardino-Balkariya and Dagestan have laws banning extremist religious activities, described as "Wahhabism," but there were no reports that these laws were invoked to deny Muslim groups registration during the period covered by this report.

Under the 1997 law, representative offices of foreign religious organizations are required to register with state authorities. They are barred from conducting liturgical services and other religious activity unless they have acquired the status of a group or organization. Although the law officially requires all foreign religious organizations to register, in practice foreign religious representative offices (those not registered under law) have opened without registering or have been accredited to a registered religious organization. However, those offices may not carry out religious activities and do not have the status of a religious "organization."

The Moscow Jewish Community, which is involved in an ongoing dispute with another Russian Jewish organization, is registered as a local religious organization. It tried to change its status to that of a centrally registered organization; however, the MDJ refused to allow such a change. The community is attempting to deposit a modified version of its bylaws with the MDJ; however, at the end of the period covered by this report, the MDJ still had not responded to the community's most recent application.

In a number of cases the Procurator General in Moscow appeared to have encouraged local state prosecutors to challenge the registration and reregistration of some nontraditional religious groups. The Procurator distributed a 1999 manual entitled "Activities of Religious Groups: Psychological and Juridical Aspects: Informational Resource Work for Procurator Personnel" to all regional branches of the procuracy. The manual contains biased descriptions of groups such as Jehovah's Witnesses, Mormons, Unification Church, and Scientology. In addition, the manual appears to provide instructions on how to generate criminal cases against these groups, including sample letters from distraught parents of members of these denominations. Despite this guidance, in a number of instances local courts have upheld the right of nontraditional groups to register or reregister.

In addition to its provisions for banning and refusing registration to some religious groups, some other aspects of the 1997 law and its application also restricted religious activity. Critics charge that the law's 15-year rule—which requires that religious groups exist for 15 years before they can qualify for "organization" status—limits the rights, activities, and status of new religious "groups." In 1999 the Constitutional Court upheld the 15-year provision, however, it declared that the rule did not apply to organizations that had been registered at the time of the 1997 law's passage. The ruling effectively "grandfathered in" a number of previously registered religious organizations that had not been able to prove 15 years of operation in Russia. For example, in the case of Jehovah's Witnesses, the 15-year rule no longer prevented the registration of newly created local Jehovah's Witnesses religious organizations, nor reregistration of organizations that were registered at the time of implementation of the 1997 law but less than 15 years old.

Nonetheless, the 1999 ruling does not enable independent churches with less than 15 years in the country to register as religious organizations unless they were registered before the passage of the law or affiliate themselves with existing centralized organizations. The Institute for Religion and Law and other NGO's note that this is a significant restriction for small, independent religious communities and foreign based "new religions."

According to lawyers for the Church of Scientology, the organization has filed an application with the ECHR to protest the denial of registration to a chapter in Surgut, Tyumen Oblast. In an effort to avoid the 15-year rule, that chapter first attempted to register as a social organization and then as a nonprofit organization, yet was told each time that it needed to apply for registration as a religious organization. However, that application was denied on the basis of the 15-year rule.

Some domestic human rights activists are concerned by language in the 1999 ruling that upholds the right of the Government to place certain limits on the activity of religious groups in the interests of national security, citing 1993 and 1996 ECHR decisions regarding religious sects. In 2000 the Security Council adopted a National Security Concept including a specific warning on the allegedly negative impact of foreign missionary activity. Supporters of the 1997 law claim that individual members of unregistered "groups" may still establish bank accounts, invite foreign guests, and rent or purchase property on behalf of their congregations; however, in practice, it has been difficult for many groups to function effectively on such a basis.

Despite the efforts of most agencies of the federal Government to implement the 1997 law liberally and to provide assurances that religious freedom would be observed, some local officials continued to apply the law restrictively. The vagueness of the law and regulations, the contradictions between federal and local law, and varying interpretations provide regional officials with a pretext for restricting the activities of religious minorities. Discriminatory practices at the local level were made possible by the decentralization of power that occurred during the Yeltsin era. They also are encouraged by majority religions' lobbying efforts and by negative attitudes toward "nontraditional" religions. The Putin Administration has attempted to rectify the situation to some degree by strengthening ties between the regions and the center. As part of this effort, President Putin divided the country into seven districts overseen by the polpreds and introduced a federal register of laws to ensure that local legislation conformed to the Constitution and federal laws.

Many of the restrictions on religious freedom are associated with the 1997 law; however, there were others, particularly at the local level, involving such matters as access to venues for religious observances, visas for foreign religious workers, questionable "deprogramming" practices, and issues of property restitution, that were not always related directly to the 1997 law. Since 1994 many of the country's regional governments have passed laws and decrees intended to restrict the activities of religious groups. The federal Government sometimes challenges the legality of local legislation. As a result, some laws have been rescinded, and others have been brought into conformance with federal law. The federal Government works through the Procuracy, Ministry of Justice, Presidential Administration, and the courts to force regions to comply with federal law. The Government often is active in preventing or reversing discrimination at the local level, by disseminating information to the regions and, when necessary, by reprimanding the officials at fault. For example, the Presidential Academy of State Service has worked actively with religious freedom advocates such as the Slavic Center for Law and Justice to train regional and municipal officials in properly implementing the law.

In April 2001, according to the Keston News Service, the authorities evicted three registered and one unregistered Protestant congregations in Kazan, in the Republic of Tatarstan, from state owned premises which they had been renting for worship services.

In May 2001, local legislators in the Belgorod region passed a law restricting missionary activity, including the use of venues in which religious meetings may be held. Foreigners visiting the region are forbidden to engage in missionary activity or to preach unless specifically allowed to do so according to their visas (some groups reportedly sent religious workers on business or tourist visas in order not to alert the authorities to their activities). In December 2001, the Supreme Court rejected the Belgorod local procurator's challenge to the law. In August 2001, the Belgorod regional court ruled to strike one article of the law which stated that groups receiving repeated violations would be banned. No information was available concerning any attempts to enforce this law by the end of the period covered by this report.

There were reports that some local and municipal governments prevented religious groups from using such venues as cinemas that are suitable for large gatherings. In many areas of the country, government owned facilities are the only available venues. As a result, some congregations that do not have property effectively have been denied the opportunity to practice their faith in large gatherings. Hare Krishna leaders in Moscow have sought unsuccessfully for several years to acquire property to build a new temple and center. Jehovah's Witnesses and Baptists in Moscow and other regions continue to encounter difficulty leasing assembly space and obtaining the necessary permits to renovate buildings.

The Mormons also encountered difficulty obtaining permission to build and then occupy an assembly hall in Volgograd. The building eventually was completed, but municipal officials have delayed issuing permission to use the completed building.

Following objections by the archbishop of the local Russian Orthodox Church to the building of a Catholic church in Pskov, city authorities placed a "temporary ban" on construction. Opponents of the church's construction argue that the church is too large, that the belfry is too prominent, and that the church infringes on the city's historic center. According to proponents of construction, the local parish had submitted blueprints for the church and received all the permits required by law before beginning construction. In April 2002, the governor of the province met with parish officials and assured them that the authorities did not intend to prohibit the completion of the church. As of May 2002, the dispute still had not been resolved. Following the April 19, 2002 cancellation of his visa, Catholic bishop Jerzy Mazur was unable to attend a ceremony to consecrate the ground for Buryatiya capital UlanUde's first Catholic church. According to an April 24 Interfax-Yevraziya press agency report, representatives of the city's small Catholic community claimed that they were unable to proceed with construction plans unless the ground was consecrated.

Since 1998 the Buddhist Kuntsechoyney Datsan (monastery) in St. Petersburg has been the subject of a property dispute between its former and present occupants. According to a spokesperson for the former abbot and monks, who are affiliated with the Traditional Buddhist Sangha of Russia, the country's largest Buddhist organization, the St. Petersburg Datsan's current administrators represent none of the country's traditionally Buddhist groups and took the Datsan by force. The same spokesperson alleges that the Datsan's current leader acquired the deed by fraudulent means. The Traditional Buddhist Sangha of Russia is based in the Ivolginskiy Datsan in Buryatiya and is headed by Pandido Hambo Lama Damba Ausheyev.

The Russian Orthodox Church Outside Russia, which does not recognize the Moscow Patriarchate's authority, also has had numerous problems obtaining access to places for gathering.

The 1997 law's preamble, which some government officials insist carries no legal weight, recognizes the "special contribution of Orthodoxy to the history of Russia and to the establishment and development of Russia's spirituality and culture." It accords "respect" to Christianity, Islam, Buddhism, and Judaism as inseparable parts of the country's historical heritage. Many citizens firmly believe that at least nominal adherence to the Russian Orthodox Church is at the heart of what it means to be Russian. This belief appears to have manifested itself in a church state relationship that is detrimental to non-Orthodox denominations.

The Russian Orthodox Church has made special arrangements with government agencies to conduct religious education and to provide spiritual counseling. Although other denominations, such as Protestant groups, have been granted access to military personnel, it is much more limited than that accorded to the Russian Orthodox Church. The Russian Orthodox Church has signed agreements with the Ministries of Education, Defense, Health, Interior, Emergency Situations, and Tax, with the Federal Border Service, the Main Department of Cossack Forces under the President, and other bodies. The details of these agreements are far from transparent, but available information indicates that the Russian Orthodox Church appears to receive more favorable treatment than other denominations.

Government protocol and other anecdotal evidence from religious minority groups suggest that the Russian Orthodox Church in some cases enjoys very close cooperation with state bodies and officials. For example, in early 2002, the director of the Federal Security Service (FSB) received Patriarch Aleksiy at the service's Lubyanka headquarters, where the prelate blessed a church that had been restored. In public statements on that occasion, both figures spoke of the need to defend Russia's "spiritual security" against "sects" and "cults." On February 11, 2002, the Vatican announced that it was upgrading its four existing apostolic administrations to dioceses; the Russian Orthodox Church vehemently protested the decision (see Section III). The Foreign Ministry issued a statement calling upon the Vatican to refrain from such a move and "to settle the matter with the Russian Orthodox Church." In April 2002, the Russian Orthodox Church denied responsibility for the cancellation of the visas of Catholic Bishop Jerzy Mazur and Catholic priest Stefano Caprio, but heatedly defended the cancellations as a state prerogative and an appropriate response to Catholic "encroachment." Press reports on the cancellations cited vague allegations by unnamed sources in the security services that the two ecclesiastics had been spying. On December 13, 2001, the Russian Orthodox Church and other organizers of the World Russian People's Congress symbolically combined church and state. For example, the President attended for the first time and entered together with the Patriarch. The Congress, an occasional forum of prominent public

figures, took place in Moscow's Christ the Savior Cathedral. In May 2002, numerous prominent federal officials—including the President, the Speaker of the upper house of Parliament, the Chair of the Constitutional Court, and the Minister of Defense attended an Orthodox Easter service presided over by the Patriarch in Moscow's Christ the Savior Cathedral. Nonetheless, policymakers appear divided on the question of the proper relationship between the State and the Russian Orthodox Church.

Human rights groups and religious minority groups have criticized the Procurator General for encouraging legal action against some minority religions and recommending as authoritative materials that are biased against Jehovah's Witnesses, Mormons, and others. Some Protestant groups and newer religious movements have accused the FSB, Procurator, and other official agencies, of harassment. Churches have faced investigations for purported criminal activity, landlords have been pressured to renege on contracts, in some cases the security services are thought to have influenced the Ministry of Justice in registration applications, and some religious personnel have experienced visa and customs difficulties while entering or leaving the country. For example, in March 2002, Riga-based Pentecostal pastor Aleksey Ledyayev flew to Moscow to address a conference of religious ministers; however, the authorities detained him at the airport for an estimated 9 to 11 hours before returning him to Riga. Authorities reportedly left Ledyayev's Russian visa in his Latvian passport without canceling it. According to Ledyayev, he received no explanation of the decision to deny him entry. Also in March 2002, according to Pastor Martinez of the Kingdom of God church in Moscow, 2 persons dressed as police officers and 10 in civilian clothing broke down the doors of the church, disrupting a worship service. One individual in the group identified himself as an FSB officer and gave his name and rank; the others refused to do so, saying that their names were state secrets. They conducted a documents check and seized a medicine cabinet in order to look for narcotics.

Church officials and religious freedom advocates reported that the head of the Khabarovsk administration's Department of Religion continued to engage in a campaign against the region's Pentecostals, hindering the church's registration efforts and harassing visiting foreign missionaries with bureaucratic requirements, such as repeated document checks and challenges to valid visas, in an attempt to discourage missionaries from staying in the region.

In April 2002, two Roman Catholic religious workers—Bishop Jerzy Mazur of the diocese in Irkutsk and Father Stefano Caprio, a priest in Vladimir—discovered while traveling abroad that the authorities had declared them *personae non gratae* and canceled their visas. Caprio claimed that his visa was removed physically from his passport during exit formalities on April 5, when he was traveling from Moscow to Milan. Federal Border Service workers canceled Mazur's visa on April 19, during his stopover in Moscow on the way from Warsaw to Irkutsk. According to the office of Archbishop Tadeusz Kondrusiewicz, many foreign Catholic clergy working in Russia subsequently were afraid to leave the country, concerned that they would not be allowed to return. Foreign religious workers without residency permits typically must go abroad once a year to renew their visas; some receive multiple entry visas or are able to extend their stays.

Like other religious workers, Catholics have experienced problems in obtaining residency permits and visas. Celibate Catholic clergy do not have the option to gain permanent residency or citizenship on the basis of marriage to Russian citizens, unlike other religious workers who have done so.

The Mormons also have had difficulty in securing visas for some of their foreign missionaries coming to Russia, particularly with the Vladivostok branch of the Ministry of Foreign Affairs. They also have had problems in procuring residency permits for missionaries in regions such as Chelyabinsk and Kazan. Church lawyers presume that officials in some areas, such as Chelyabinsk, have impeded foreign religious workers from registering in order to restrict foreign proselytizing. In a number of other cases, the authorities continued to refuse visas to missionaries, apparently as a result of earlier conflicts with the authorities. Individuals denied visas include Dan Pollard, formerly of the Vanino Baptist Church in Khabarovsk region, and David Binkley of the Church of Christ in Magadan, whose applications were rejected despite their acquittal on tax and customs charges, and Charles Landreth of the Church of Christ in Volgograd, who had been accused in the local press of being a spy. A fourth missionary, Monty Race of the Evangelical Free Church of America, who entered the country legally with a visa sponsored by a Moscow congregation, was refused registration to reside in Naberezhnyy Chelnyy, Tartarstan. Race, who is married to a Russian citizen and has two children, also has been refused permission to register as a resident foreign spouse of a citizen. The letter of refusal he received from the Interior Ministry's local passport control office cites "national security" concerns. In January and May 2002, according to Dan Pollard, courts in

Khabarovsk acquitted him of all remaining charges and upheld his right to return to the country.

In late March 2002, four foreign missionaries for Jehovah's Witnesses arrived in Moscow with valid religious worker visas and attempted to register with the local police, as required by law. The officials who received them initially refused to register their visas, citing the banning trial that was under way at the time. The four missionaries eventually were relocated to other cities within the country. According to a spokesperson for Jehovah's Witnesses, such incidents are not a frequent problem, and the community is working with the local Office of Visas and Registration to resolve the matter.

The Buddhist community has had difficulty in realizing a planned visit by the Dalai Lama. In September 2001, according to an Interfax news agency report, President Putin promised the Kalmyk President that he would order the Foreign Ministry to review its denial of a visa to the Tibetan holy man. In February 2002, a Buryat cultural organization announced that such a visit might take place as early as the summer of 2002. The Lama's last visit to the country was in 1991.

Some religious groups cite disputes concerning the return of religious property confiscated during the Soviet era as a source of concern. According to the Presidential Administration, since the 1993 decree went into effect, 4,000 buildings have been returned to religious groups. Approximately 3,500 of these were returned to the Russian Orthodox Church. Approximately 15,000 religious articles, including icons, torahs, and other items, have been returned to religious groups. For the most part, properties of other faiths used for religious services, including synagogues, churches, and mosques, have been returned as well, although some in the Jewish community assert that only a small portion of the total properties confiscated under Soviet rule have been returned. The Jewish community is seeking the return of a number of synagogues around the country, of religious scrolls, and of cultural and religious artifacts, such as the Schneerson book collection (a revered collection of the Chabad Lubavitch).

During the summer of 2001, city authorities in Kazan, Tatarstan sought to prevent the immediate repair and continued use of a Jewish school building that had been damaged by fire. The fire, which some Jewish leaders suspected to be the result of arson, damaged the roof and upper floor of the school. On July 18, municipal authorities issued a decree closing the school for the upcoming academic year and transferred the students to another school. Offers by parents and others in the Jewish community to repair the school at their own expense initially were rejected by the city authorities, who ostensibly were concerned that the building had suffered structural damage; however, the officials also openly voiced their discomfort with the location of a Jewish school in an historically Tatar neighborhood. On August 21, 2001, the Vakhitovskiy regional court found that the authorities had acted improperly in decreeing the transfer of the Jewish students. The city authorities did not prevent parents from completing essential repairs before the school year opened on September 1, 2001. In May 2002, the school was formally returned to the Jewish Community in Kazan.

According to human rights activists and NGO's, anti-Semitism is still a significant part of the mindset of some politicians. For example, Communist Duma deputy Vasily Shandybin often has made derogatory references to Jews in public. Krasnodar Governor Aleksandr Tkachev claimed in public that there was a Zionist plot in his province, although very few Jews live there. As in previous years, nationalists distributed anti-Semitic literature in Moscow and elsewhere during the Victory Day holiday in May 2002.

A spokesperson for the Independent Psychiatric Association criticized Golovinskiy inter municipal court's commissioning of "expert studies" to determine whether the religious literature of Jehovah's Witnesses was harmful to members or nonmembers. The court commissioned the studies in connection with a trial to determine whether the Jehovah's Witnesses should be banned in Moscow. As parties to the case, Jehovah's Witnesses must share the cost of such studies.

In April 2002, following a meeting with Catholic archbishop Tadeusz Kondrusiewicz, Sergey Abramov, the deputy head of the Presidential Administration responsible for domestic policy, stated that "The Presidential Administration is disturbed by violations of legislation with respect to Catholics," and that it would "always come to the defense of Russian laws." Kondrusiewicz visited Abramov in his Kremlin office to protest anti-Catholic statements by Orthodox representatives and Duma deputies, as well as the Pskov city administration's prevention of the completion of a Catholic church in that city. In April 2002, Duma deputy Viktor Alksnis submitted a draft resolution calling upon the President to direct the Justice Ministry and its local departments to pursue the legal ban of the Catholic Church's four apostolic administrations (dioceses) in the country. The following month, the 450-

member Duma failed to pass the resolution with the necessary 226 votes, with 169 lawmakers voting in favor, 37 against, and 4 abstaining.

Although the Constitution mandates the availability of alternative military service to those who refuse to bear arms for religious or other reasons of conscience, in practice no such alternative exists. In October 2001, according to press reports, authorities in Nizhniy Novgorod established an alternative service program for conscripts. There were no reports that such programs existed in other regions. President Putin criticized the Nizhniy Novgorod program as extralegal, and on June 28, 2002, national legislation on alternative service was approved by the Duma and forwarded to the upper chamber for action. It would establish alternative civilian service and alternative military service in unarmed units.

While most conscripts looking for exemptions from military service sought medical or student exemptions, the courts provided relief to others on the grounds of their religious convictions. The Slavic Law Center represented several of the conscripts. On April 19, 2002, the Surazhskiy regional court in Bryansk Oblast upheld the complaint of evangelical Sergey Dorokhovyy against the local draft board. Dorokhovyy, who asserts that he is unwilling to perform his military service on the grounds of his religious convictions, had protested against the local draft board's decision to deny his request for alternative service, arguing that no law provided for such an exemption. Prior to the April 19 ruling, lower courts had twice upheld the draft board's decision. On December 25, 2001, the deputy chair of the Supreme Court lodged protest with the presidium of the Bryansk Oblast court, which then ordered a retrial of Dorokhovyy's case in a lower court.

In March 2002, a city procurator in Mednogorsk, Orenburg Oblast, charged Muslim Arslan Khasanov with evasion of military service. Khasanov, the son of a Mednogorsk mullah, refuses to perform his military service on the grounds of his personal moral and ethical convictions, which stem from his opposition to the use of force against Muslims in Chechnya. On February 8, 2002, the presidium of the Supreme Court of Chuvashiya dismissed charges against Pentecostal Aleksandr Volkov for evasion of military service, allowing an August 8, 2001 acquittal by the Novocheboksaryy city court to stand. On January 22, 2002, the deputy chair of the Supreme Court lodged protest with the high court in Chuvashiya against continuing, hostile litigation against Volkov. Volkov refuses to perform his military service on the grounds of his religious convictions.

According to the Slavic Law Center, on November 12, 2001, officials from the local military commissariat ("voyenkomat") in Lipetsk forcibly detained Baptist Sergey Kovyazin. In December 1999, the local procurator had denied the town military garrison's request to open a criminal case against Kovyazin for evasion of military service. On November 12, Kovyazin appeared at the recruitment office in response to the latest series of summons and stated his objections to military service on the grounds of his religious convictions. On November 14, Kovyazin was released.

#### *Abuses of Religious Freedom*

There were isolated instances in which local officials detained individuals engaged in the public discussion of their religious views. Such instances often were resolved quickly.

There were no official reports of religious prisoners; however, Mormon missionaries throughout the country frequently were detained for brief periods or asked by local police to cease their activities, regardless of whether they were actually in violation of local statutes on picketing. For example, in Vladivostok on January 21, 2002, three men, two of them in police uniform, stopped and physically assaulted two Mormon missionaries who were proselytizing in accordance with their religious worker visas. Neither victim reported serious physical injuries. Officials at the district police station refused to accept their complaint. Later intervention by the city police chief led to the case's resolution.

The Independent Psychiatric Association of Russia could confirm no instances of the forcible use of psychiatry in "deprogramming" victims of "totalitarian sects" during the period covered by this report.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

The Russian Academy for State Service held multiple conferences during the period covered by this report to examine the issue of religious tolerance, including one in December 2001 entitled "Religion and Problems of National Security in Russia." A broad range of participants with differing views attended the conferences.

Some religious communities continued to reclaim ground lost during the Soviet period. For example, in May 2002, St. Petersburg Governor Vladimir Yakovlev, Finnish President Tarja Halonen, a Russian Orthodox Church representative, and others gathered to mark the restoration of the Church of St. Mary, belonging to the Evangelical Lutheran Church of Ingriya, one of four Lutheran groups registered in the country. The restored building, dating from 1805, replaced a previous structure from 1733, and was built on land given to the Finnish community by Empress Anna. The Soviet regime forced the Evangelical Lutheran Church of Ingriya to end its operations in 1938. The Catholic St. Andrew Kim parish, which is made up of Russian citizens of Korean descent, successfully registered with Moscow authorities.

### SECTION III. SOCIETAL ATTITUDES

Religious matters are not a source of societal hostility for most citizens, although popular attitudes toward traditionally Muslim ethnic groups are negative in many regions, and there are manifestations of anti-Semitism as well as societal hostility toward newer, non orthodox, religions. There continue to be instances of religiously motivated violence, although it is often difficult to determine whether religious or ethnic differences were the primary motivation for individual instances of violence. Relations between different religious organizations are frequently tense, particularly at the leadership level. Conservative groups encouraged by, or claiming ties to, the Russian Orthodox Church staged a number of anti-Catholic demonstrations throughout the country. Many citizens firmly believe that at least nominal adherence to the Russian Orthodox Church is at the heart of what it means to be Russian, and in conservative nationalist circles, Russian Orthodoxy is considered the de facto official religion of the country.

According to the Procuracy General, as of November 1, 2001, 37 criminal cases of incitement to national, racial, or religious hatred had been opened pursuant to the Criminal Code. As of July 1, 2002, according to the statistical department of the Supreme Court, the Procuracy had brought five such cases to court, but none of the accused was convicted.

Popular attitudes toward traditionally Muslim ethnic groups are negative in many regions, and there are manifestations of anti-Catholic, anti-Muslim, and anti-Semitic sentiments, as well as societal hostility toward newer, non orthodox, religions. Federation of Jewish Communities head Rabbi Berel Lazar has taken a strong public stance against groups such as "Jews for Jesus," and has collaborated with the Russian Orthodox Church hierarchy, Mufti Talgat Tadzhuiddin, and other religious leaders to fight the spread of so called "cults" and "foreign missionaries."

There is no largescale movement in the country to promote interfaith dialog, although on the local level, religious groups successfully collaborate on charity projects and participate in interfaith dialog. Russian Pentecostal and Baptist organizations, as well as the Russian Orthodox Church, have been reluctant to support ecumenism. Traditionally the Russian Orthodox Church has pursued interfaith dialog with other Christians on the international level. However, the Patriarch and other Russian Orthodox Church representatives expressed grave displeasure at the Vatican's February 2002 decision to upgrade its four apostolic administrations to dioceses (see Section II). Clerics, parliamentarians, and members of conservative "front groups" identifying themselves as Russian Orthodox and Muslim made numerous hostile statements opposing the decision. Prior to the Vatican's decision, the Patriarch had conditioned any future visit to the country by the Pope on the settlement of outstanding issues, which include each church's relationship to Ukraine's eastern-rite Greek Catholic (Uniate) Church, which recognizes Rome's authority, and allegedly "aggressive" Catholic proselytizing in the country. The Russian Orthodox Church objected strongly to the papal visit to Ukraine in June 2001.

In May 2002, 10 faiths came together to stage the Second Interconfessional Exhibition in Moscow's All-Russian Exhibition Center, where they displayed and distributed literature, videocassettes, devotional articles, and goods produced by religious business enterprises. The participants included the Russian Orthodox Church, the Spiritual Directorate for Muslims in the European Region of Russia (DUMER), the Coordination Center for Muslims of the Northern Caucasus, the Armenian Apostolic Church, the Buddhist Traditional Sangha of Russia, the Congress of Jewish Religious Organizations and Associations of Russia (KEROOR), the Russian Union of Evangelical Christian-Baptists (RSEKhB), the Union of Christians of the Evangelical Faith (Pentecostals) in Russia (SKhVER), the Western Russian Union of Churches of Seventh-Day Adventists, and the Evangelical Lutheran Church of Russia.

Muslims, the largest religious minority, continue to encounter societal discrimination and antagonism in some areas. Discriminatory attitudes have become stronger

since the onset of the conflict in the predominantly Muslim region of Chechnya and since the 1999 Moscow apartment bombings, for which the mayor and others quickly blamed Chechen separatists. Muslims have claimed that citizens in certain regions have an irrational fear of Muslims, citing cases such as a dispute in Kolomna over the proposed construction of a mosque. The authorities, journalists, and the public have been quick to label Muslims or Muslim organizations “Wahhabi,” a term that has become equivalent with “extremist.” Such sentiment has led to a formal ban on “Wahhabism” in Dagestan and Kabardino-Balkariya (see Section II). On September 12, 2001, law enforcement officials in Sverdlovsk Oblast called for a stricter national immigration policy to control the inflow of illegal immigrants from Central Asian countries, a move apparently aimed against a perceived Muslim terrorist threat. In the fall of 2001, several prominent human rights activists expressed concern about the rise of anti-Islamic attitudes.

A continuing pattern of violence, with either religious or political motivations, against religious workers in the North Caucasus was evident during the period covered by this report.

Although Jewish leaders have stated publicly that the state-sponsored anti-Semitism of the Soviet era no longer exists, there continued to be instances of prejudice and social discrimination against Jews, as well as vandalism and occasional violence. On May 28, 2002, 28-year-old Tatyana Sapunova stopped her minibus by the side of the Kiev highway, approximately 15 miles south of Moscow, to remove a sign with an anti-Semitic slogan. As she pulled on the sign, she triggered an explosive device that detonated and injured her severely. Spokespersons for the country's major Jewish organizations strongly criticized the attack and called upon the authorities to take more forceful action against anti-Semitism. As of the end of the period covered by this report, no group had claimed responsibility for rigging the sign. Prosecutor General Vladimir Ustinov pledged to take the case under his personal control. On September 23, a dozen skinhead youths beat up four yeshiva students in Moscow, and in the city of Orenburg, unknown assailants attacked a group of Orthodox Jewish schoolboys.

On May 5, 2002, in Rostov, there was an arson attempt on a 130-year-old synagogue, and a window was broken. According to the rabbi, the synagogue's windows had been broken five times in the preceding weeks. According to the Moscow office of the Union of Councils of Soviet Jews, the synagogue is located in a sparsely populated and little-patrolled part of the city and is therefore vulnerable to such attacks. There were other incidents of synagogue vandalism in March and April 2002 in Ulyanovsk, Orenburg, Yashkar-Ola (Republic of Mari-El), and Kostroma. In each case, the perpetrators left anti-Semitic graffiti on the building. On August 16, 2001, in a widely publicized case, there was an arson attack on the synagogue in Ryazan. There were no casualties, but the fire caused approximately \$25,000 (788,500 rubles) worth of damage, according to Ryazan Jewish leaders. Jewish leaders noted the quick reaction of local authorities.

Cemetery desecration remained one of the most common types of anti-Semitic attacks. On August 19, 2001, in Krasnoyarsk, vandals desecrated 32 tombstones in a Jewish cemetery by painting them with swastikas and anti-Semitic graffiti. The Anti-Defamation League (ADL) sent letters to Krasnoyarsk leaders, including then-Governor Aleksandr Lebed, urging swift investigation and a clear stand against anti-Semitism. The authorities helped the Jewish community remove the graffiti, but no arrests were reported. Several other Jewish cemeteries, including those in Nizhniy Novgorod and Samara, also were vandalized during 2001. In another high-profile case, on September 23, 2001, vandals spray painted swastikas and other anti-Semitic graffiti on the front columns of the main entrance to Moscow's Choral Synagogue. This act was perpetrated just days after the Rosh Hashanah visit to the synagogue of Moscow Mayor Yuriy Luzhkov and other dignitaries. On September 24, 2001, vandals carved anti-Semitic insults on the front door of the office of the Congress of Jewish Religious Organizations and Communities of Russia.

Numerous other anti-Semitic incidents occurred in September 2001. On September 22, a group of youths assaulted an Israeli rabbi and three other visiting Israelis on a street in the Siberian city of Omsk; the youths pushed off the rabbi's hat and shouted Nazi slogans at the four Israelis, but no one was injured.

The ultranationalist and anti-Semitic Russian National Unity (RNE) paramilitary organization, formerly led by Aleksandr Barkashov, which propagates hostility toward Jews and non-Orthodox Christians, appears to have splintered and lost political influence in many regions since its peak in 1998. Although reliable figures on RNE membership were not available, the organization claimed tens of thousands of members in many regions in 2000. The RNE continued to be active in some regions, such as Voronezh, and RNE graffiti has appeared in a number of cities, including Krasnodar. Representatives of the Church of Scientology accuse RNE and other

ultranationalist organizations of violence or threats of violence against their activities in a number of Russian cities, including Nizhniy Novgorod, Barnaul, and Yekaterinburg. The cities of Tver and Nizhniy Novgorod registered "Russian Rebirth," a splinter group of the RNE, which in turn prompted protests from human rights groups, including the Union of Councils (UCSJ). However, in several regions such as Moscow and Kareliya, the authorities successfully have limited the activities of the RNE by not registering their local affiliates.

Some local publications around the country continued to carry anti-Semitic themes, unchallenged by local authorities. However, traditionally anti-Semitic publications with large distributions, such as the newspaper *Zavtra*, while still pursuing such anti-Semitic themes as the portrayal of Russian oligarchs as exclusively Jewish, appear to be more careful than in the past about using crude anti-Semitic language. On May 1, 2002, approximately 10,000 nationalists gathered on Moscow's *Teatralnaya Ploshchad* for a May-Day rally. According to the Moscow office of the UCSJ, vendors displayed dozens of anti-Semitic and pro-Fascist titles such as *The Protocols of the Elders of Zion* and *Mein Kampf*. anti-Semitic leaflets, graffiti, and articles continued to appear in some regions, such as St. Petersburg, Ryazan, and Krasnodar.

As so called "nontraditional" religions in the country continued to grow, many citizens, encouraged by conservative politicians, journalists, and clergy, continued to express hostility toward "foreign sects." Hostility toward "nontraditional" religious groups sparked occasional harassment and even physical attacks. On September 16, 2001, perpetrators hurled a Molotov cocktail into the Moscow headquarters of the Church of Scientology; the church had received bomb threats by telephone prior to the incident. By year's end, the police had arrested five suspects, and in January 2002, a court sentenced a member of the extremist National Bolshevik Party to a 2-year jail term for the crime. On September 22, 2001, a group of teenagers attacked two Mormon missionaries in Krasnodar; both victims required stitches and one required minor surgery. The local police registered the victims' charges against their assailants. According to the pastor of an evangelical church in the town of Chekhov, Moscow Oblast, the authorities arrested no suspects in an April 2001 arson case directed against the church and had abandoned the investigation. Most parishioners still were afraid to attend services with their families.

Members of some religions, including some Protestant groups, Jehovah's Witnesses, the Unification Church, Russian Orthodox Church Abroad, and the Mormons, continued to face discrimination in their efforts to rent premises and conduct group activities (see Section II).

There were press reports of several anti-Catholic demonstrations in the weeks following the Vatican's February 2002 decision to upgrade its apostolic administrations to dioceses (see Section II). On Sunday, April 21, 2002, members of the Russian All-National Council picketed a Catholic Mass in the Siberian city of Irkutsk and called for the closure of the Polish consulate. Many of Siberia's estimated 50,000 Catholics are ethnic Poles and Lithuanians. On April 28, 2002, a series of public protests were held in numerous cities and towns against Catholic "expansionism." A gathering on that date on Moscow's *Slavyanskaya Ploshchad* attracted approximately 1,500 participants, including nationalist Duma deputies and members of conservative Orthodox groups.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government continued to engage the Government, a number of religious groups, NGO's, and others in a steady dialogue on religious freedom. The U.S. Embassy in Moscow and the Consulates General in Yekaterinburg, St. Petersburg, and Vladivostok were active throughout the period covered by this report in investigating reports of violations of religious freedom, including anti-Semitic incidents. U.S. Government officials engaged a broad range of Russian officials, representatives of religious groups, and human rights activists on a daily basis. In the period covered by this report, such contacts included: government officials, representatives of over 20 religious confessions, the Institute for Religion and Law, the Slavic Law and Justice Center, the "Esther" Legal Information Center, the Anti-Defamation League, lawyers representing religious groups, journalists, academics, and human rights activists known for their commitment to religious freedom. In May 2002, President George Bush, First Lady Laura Bush, and Secretary of State Colin Powell met with religious leaders from numerous faiths in both Moscow and St. Petersburg. The U.S. Ambassador addressed the theme of religious freedom in talks with the Jewish community on a number of occasions, including Rosh Hashanah. He also did so in remarks to members of the Muslim community at the end of Ramadan, at an

event sponsored by the Council of Muftis. In addition the Ambassador spoke of the importance of religious freedom at a Sakharov Center conference in April 2002.

The Embassy has worked with NGO's to encourage the development of programs designed to sensitize law enforcement officials and municipal and regional administration officials to discrimination, prejudice, and crimes committed on the basis of ethnic or religious intolerance. Embassy officials met with numerous Russian and American groups affiliated with the many religious denominations present in the country, participating in exchanges of opinion and conducting briefings on the status of religious freedom. Senior embassy officials discuss religious freedom with high ranking officials in the Presidential Administration and the Government, including the Ministry of Foreign Affairs, raising specific cases of concern. Russian federal officials have responded by investigating those cases and keeping embassy staff informed on issues they have raised.

The Embassy and consulates have investigated problems such as the refusal of visas to foreign missionaries and impediments to registration. As part of its continuing efforts to monitor the implementation of the 1997 Law on Freedom of Conscience, the Embassy maintains frequent contact with working-level officials at the Ministry of Justice, Presidential Administration, and Ministry of Foreign Affairs.

In Washington as well as in Russia, the U.S. Government presses for the country's adherence to international standards of religious freedom. Officials in the State Department meet regularly with U.S.-based human rights groups and religious organizations concerned about religious freedom in Russia, as well as with visiting Russian representatives of religious organizations. Officials in Washington also met in early 2002 with officials, clerics, academic experts, and human rights NGO leaders from Muslim regions of Russia. The visitors were participants in the U.S.-sponsored International Visitors Exchange program. The 1997 law has been the subject of numerous highlevel communications between members of the executive branch of the U.S. Government and the Russian Government, involving various senior U.S. officials.

In April 2002, an official of the Office of International Religious Freedom visited numerous government officials, NGO advocates for religious freedom, and representatives of major and minority faiths, to whom she emphasized the importance of respecting the rights of minority religions.

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## SAN MARINO

The law provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 37.57 square miles, and its population is approximately 26,900. The Government does not provide statistics on the size of religious groups, and there is no recent census data providing information on religious membership; however, it is estimated that over 95 percent of the population is Catholic. There are also small groups of members of Jehovah's Witnesses and adherents to the Baha'i Faith (who organize small, active missionary groups), some Muslims, and members of the Waldesian Church.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The law provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

Although Roman Catholicism is dominant, it is not the state religion, and the law prohibits discrimination based on religion. The Catholic Church receives direct benefits from the State through income tax revenues; taxpayers may request that 0.3 percent of their income tax payments be allocated to the Catholic Church or to

“other” charities, including two religions (the Waldesian Church and members of Jehovah’s Witnesses).

In 1993 some parliamentarians objected to the traditional 1909 oath of loyalty sworn on the “Holy Gospels.” Although they eventually swore the oath as required, the parliamentarians contended that it violated the European Convention and brought suit in the European Court of Human Rights. Following this objection, Parliament changed the law in 1993 to permit a choice between the traditional oath and one in which the reference to the Gospels was replaced by “on my honor.” In 1999 the European Court found that the requirement that Members of Parliament swear their loyalty on the “Holy Gospels” violated religious freedom. However, its ruling also implicitly endorsed the revised 1993 legal formulation. The Court also noted that the traditional oath still is mandatory for other offices, such as the Captain Regent or a member of the Government; however, to date, no elected Captain Regent or government member has challenged the validity of the 1909 oath.

There are no private religious schools; the school system is public and is financed by the State. Public schools provide Catholic religious instruction; however, students may choose without penalty not to participate.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Amicable relations exist between the religious communities, and government and religious officials encourage mutual respect for differences.

Roman Catholicism is not a state religion but it is dominant in society, as most citizens were born and raised under Catholic principles that form part of their culture. These principles still permeate state institutions symbolically; for example, crucifixes sometimes hang on courtroom or government office walls. They also affect societal lifestyles independently of individual compliance with Catholic precepts (such as strictures on divorce).

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SLOVAK REPUBLIC

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom. However, anti-Semitism persists among some elements of the population.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 18,933 square miles, and its population is 5,396,193. According to the 2001 census, the number of persons who claimed a religious affiliation increased from 72.8 percent in 1991 to 84.1 percent. This increase may be in part due to greater willingness among persons to state their affiliation unlike in 1991 after the fall of communism. According to the census, there were 3,708,120 Roman Catholics (68.9 percent of the population), 372,858 Augsburg Lutherans (6.9 percent), 219,831 Byzantine Catholics (4.1 percent), 109,735 members of the Reformed Christian Church (2 percent), 50,363 Orthodox (1 percent), and

20,630 Jehovah's Witnesses. There also are approximately 3,562 Baptists, 3,217 Brethren Church members, 3,429 Seventh-Day Adventists, 3,905 Apostolic Church members, 7,347 Evangelical Methodist Church members, 2,310 Jewish members, 1,733 Old Catholic Church members, 6,519 Christian Corps in Slovakia members, and 1,696 Czechoslovak Husite Church members. According to the 2001 census, 12 percent of the population claimed no religious affiliation, and 2 percent were undecided.

There are 3 categories of nonregistered religions that comprise approximately 30 groups: nontraditional religions (Ananda Marga, Hare Krishna, Yoga in Daily Life, Osho, Sahadza Yoga, Shambaola Slovakia, Shri Chinmoy, Zazen International Slovakia, and Zen Centermyo Sahn Sah); the syncretic religious societies (Unification Church, the Church of Scientology, Movement of the Holy Grail, and The Baha'i Faith); and the Christian religious societies (The Church of Christ, Manna Church, International Association of Full Evangelium Traders, Christian Communities, Nazarens, New Revelation, New Apostolic Church, Word of International Life, Society of the Friends of Jesus Christ, Sword of Spirit, Disciples of Jesus Christ, Universal Life, The Church of Jesus Christ of Latter-day Saints (Mormons), and Free Peoples' Mission).

The number of immigrants is insignificant. There are some very small numbers of refugees who practice different faiths than the majority of native-born citizens. Missionaries do not register with the Government and no official statistics exist, although according to government information, there are missionaries from the Roman Catholic, Augsburg Lutheran, and Methodist faiths as well as a Jewish emissary active in the country. From among the nonregistered churches, there are Mormon missionaries.

There is very little correlation between religious differences and ethnic or political differences. The Christian Democratic Party (KDH), which has ties to the Catholic faith, is the only political party with a religious backing. Followers of the Orthodox Church live predominantly in the eastern part of the country near the Ukrainian border. Other religious groups tend to be spread quite evenly across the country.

According to a poll conducted by the Institute of Sociology of the Academy of Sciences in 1998, the number of practicing believers increased from 73 percent in 1991 to 83 percent in 1998. The number of those who do not practice religion increased from 9.9 to 16.3 percent. Approximately 54 percent of Catholics and 22 percent of Lutherans actively participate in formal religious services.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Constitution provides for the right to practice the religion of one's choice and also provides for the right to change religion or faith, as well as the right to refrain from any religious affiliation. The Government observes and enforces these provisions in practice.

The law provides for freedom of religion and defines the status of churches and religious groups, including those groups not registered with the Government. It does not prohibit the existence of nontraditional religions. It allows the Government to enter agreements with churches and religious communities. The law is applied and enforced in a nondiscriminatory fashion.

Governmental entities at all levels, including the courts, interpret the law in a way that protects religious freedom.

No official state religion exists; however, because of the numbers of adherents, Catholicism is considered the dominant religion. The Catholic Church receives significantly larger government subsidies because it is the most populous Church. In November 2001, the Government signed an international treaty with the Vatican, which provides the legal framework for relations between the Catholic Church, the Government, and the Vatican. In April 2002, the Government signed an agreement with an additional 11 registered churches and religious groups in an attempt to counterbalance the Vatican agreement with the Catholic Church and provide equal status to the remaining registered churches; however, the agreement only possesses national force. The Ministry of Foreign Affairs previously negotiated a treaty with the Vatican to define the framework of church-state relations and mutual commitments.

Registration of churches is not required, but under existing law, only registered churches and religious organizations have the explicit right to conduct public wor-

ship services and other activities, although no specific religions or practices are banned or discouraged by the authorities in practice. Those that register receive government benefits including subsidies for clergymen and office expenses. Government funding also is provided to church schools and to teachers who lecture on religion in state schools. The Government occasionally subsidizes one-time projects and significant church activities, and religious societies are partly exempt from paying taxes and import custom fees. A religion may elect not to accept the subsidies. In 2001 the New Apostolic Church was registered, raising the number of registered churches from 15 to 16.

To register a new religion, it is necessary to submit a list of 20,000 permanent residents who adhere to that religion. There have been no cases in which a religious order was refused registration, and the religions already established before the law passed in 1991 were exempt from the minimum membership requirement.

There are no specific licensing or registration requirements for foreign missionaries or religious organizations. The law allows all churches and religious communities and enables them to send out their representatives as well as to receive foreign missionaries without limitation. Missionaries neither need special permission to stay in the country, nor are their activities regulated in any way. There were no reports that religions were denied registration or that any religious groups did not attempt to register because of the belief that their application would not be approved.

Public school curriculum allows students to choose to study religion or ethics from grade five to grade nine. These courses often are taught by religious leaders, and the churches themselves are responsible for providing instructors, although their salaries are covered from the government budget. There is a lack of appropriate teachers for certain religions. Some church representatives complain that the status of religious lecturers is not equal with that of regular teachers. Religious lecturers usually are hired on contract and are not paid during the 2 months summer vacation.

In February 2001, the Ministry of Education and the Institute of Judaism undertook a joint educational project on Jewish history and culture that is targeted to elementary and high school teachers of history, civic education, and ethics. This project is intended to assist in educating the public about Jewish themes and increase tolerance toward minorities. The Government, as an associate member, is seeking to obtain full membership in the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

There are several religious holidays that are celebrated as national holidays, including Epiphany, the Day of the Virgin Mary of the Seven Sorrows, All Saints Day, St. Stephens Day, Christmas, and Easter. A treaty with the Vatican prohibits the removal or alteration of existing religious holidays considered as state holidays. However, none of these holidays appear to impact negatively any religious groups.

The Church Department at the Ministry of Culture oversees relations between church and state. The Church Department manages the distribution of state subsidies to churches and religious associations. However, it cannot intervene in their internal affairs and does not direct their activities. The Ministry administers a cultural state fund—Pro Slovakia—which, among other things, allocates money to cover the repair of religious monuments. There is a government institute for relations between church and state.

Under the auspices of the government Office for National Minorities and Human Rights, an official agreement was signed between the Government and the Greek Catholic and Orthodox Churches to conclude property disputes stemming from the Communist and post-World War II eras. Since 1989 the Government has promoted interfaith dialog and understanding by supporting events organized by various churches. The state-supported Ecumenical Council of Churches in Slovakia promotes communication within the religious community. Most Christian churches have the status of members or observers in the Council. The Jewish community was invited, and sends observers, but chose not to participate.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion. Although government support is provided in a non-discriminatory way to registered churches that seek it, the requirement that a registered organization have 20,000 members disadvantages some smaller faiths. The Government monitors, although it does not interfere with, religious “cults” and “sects.” Some property restitution cases remain unresolved.

The Institute of State-Church Relations monitors and researches religious cults and sects; however, it is difficult to identify these groups because they largely register as nongovernmental organizations rather than as religious groups. The Insti-

tute conducts seminars, issues publications, and provides information to the media regarding its findings.

During the period covered by this report, the Ministry of Interior actively monitored the Church of Scientology and its members. Some Scientologists complained of harassment by the Slovak Information Service (SIS). Several stories appeared in the media, which were critical of companies that have ties to Scientology, including reports that the SIS director was concerned that a company with close ties to the Church of Scientology had won a contract to provide the Government with a new computer system. At the beginning of 2002, that award was cancelled and a new one had not been announced by the end of the period covered by this report.

Law 282/93 on Restitution of Communal Property enabled all churches and religious societies to apply for the return of their property that was confiscated by the Communist government. The deadline for these claims was December 31, 1994. The property was returned in its condition at the time, and the Government did not provide any compensation for the damage done to it during the previous regime. The property was returned by the Government, by municipalities, by state legal entities, and under certain conditions by private persons. In some cases, the property was returned legally by the Government but was not vacated by the former tenant—often a school or hospital with nowhere else to go.

There also have been problems with the return of property that had been undeveloped at the time of seizure but upon which there since has been construction. Churches, synagogues, and cemeteries have been returned, albeit mostly in poor condition. The churches and religious groups often lack the funds to restore these properties to a usable condition. The main obstacles to the resolution of outstanding restitution claims are the Government's lack of financial resources, due to its austerity program, and bureaucratic resistance on the part of those entities required to vacate restitutable properties.

While the Orthodox Church reported that six of the seven properties on which it had filed claims already had been returned, the Catholic Church and the Federation of Jewish Communities reported lower rates of success. The Catholic Church reported that more than half of the property that it had claimed had been returned to it already. In another 12 percent of cases the property had been returned legally to the Church but typically was occupied by other tenants and would require court action to be returned to church hands. The Church had not received any compensation for the remaining 40 percent of claims since these properties were undeveloped at the time of nationalization but since have been developed. The Church also is not eligible to reacquire lands that originally were registered to church foundations that no longer exist or no longer operate in the country, like the Benedictines.

The Federation of Jewish Communities (FJC) has reported some successful cases of restitution and has only a few pending cases that require resolution. These include cases in which property had been restituted to the FJC but not in usable condition, cases in which the property still is occupied by previous tenants, and lands upon which buildings had been constructed after the seizure of the property.

Following 2 years of negotiations, the Deputy Prime Minister's office drafted a proposal of compensation for heirless property owned by families before the Holocaust. Negotiations continued at the end of the period covered by this report; a provisional agreement is expected to be reached prior to the 2002 elections and the Cabinet change.

In February 2002, Parliament passed an amendment to Law 206, which allows the compensation to Jewish holocaust victims, who lived in the country's territory when it was occupied by Hungary; Law 305 compensates the victims or direct heirs of Nazi persecution during World War II in the war-time Slovak State. The deadline for applications under the amendment is November 2002. The Union of Jewish Communities in Slovakia filed a lawsuit against Germany to reclaim compensation of \$425,000 (200 million sk) that the war-time Slovak government paid to Germany to cover the cost to deport 57,000 Slovak Jews. The lawsuit was postponed until 2003.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. However, anti-Semitism persists among some elements of the population.

Despite protests by the Federation of Jewish Communities and Slovak National Party members, the official Slovak cultural organization Matica Slovenska continued their efforts to rehabilitate the historical reputation of Jozef Tiso, the leader of the Nazi-collaborationist wartime Slovak state. The chairman of the SNU, Stanislav Panis, in his tribute to Tiso appealed to the Government to make March 14 an official national holiday.

A musical skinhead group called Judenmord (Murder of Jews) has established a Webpage and participated in several concerts in the country as well as in the neighboring Czech Republic. The Jewish community has called on the Government to ban this openly anti-Semitic band, which the Government had not done by the end of the period covered by this report.

In late April 2002, the Jewish cemetery in the eastern Slovak town of Kosice was desecrated for the second time in the past 5 years. The police identified three children between the ages of 11 and 13 as the perpetrators; however, as minors, they were not prosecuted. In late May 2001, unknown culprits desecrated the Jewish cemetery in the central town of Levice for the fourth time in the past 3 years. The Jewish community has appealed to the mayor of Levice to properly investigate this incident; the police investigation did not lead to the location of any suspects.

There was no progress in the Catholic Church's plans to canonize the late Bishop Vojtasak, who was imprisoned after World War II and died as a consequence. Vojtasak was a member of the National Council of the wartime pro-Nazi Slovak state and was aware of the deportations of Slovak Jews to Nazi concentration camps.

The Jewish community continued to complain that a lawsuit against Martin Savel, a former editor of the publishing house Agres who published anti-Semitic literature and the anti-Jewish magazine Voice of Slovakia in the early 1990's, never has been resolved due to the slowness of the courts.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy maintains contacts with a broad spectrum of religious groups. The Embassy encourages tolerance for minority religions.

Embassy officers meet with officials of the major religious groups on a regular basis to discuss property restitution issues as well as human rights conditions. Relations with religious groups are friendly and open. The Embassy continued its dialog with the Conference of Bishops, the Federation of Jewish Communities, and the Orthodox Church. The Embassy has good relations with the Ministry of Culture and has fostered an effective dialog between religious groups, the Ministry, and the Commission for the Preservation of U.S. Heritage Abroad on matters of importance to the Commission.

The Ambassador and Deputy Chief of Mission actively lobbied members of the Government to expedite the work of the joint Commission on resolving the questions of heirless property taken from holocaust victims.

Embassy officers met with the head of the Catholic Church, Cardinal Jan Korec, and the director of the local branch of Amnesty International to discuss human rights concerns, including those of a religious nature. The Embassy organized meetings between official visitors and representatives of religious communities.

Embassy officers have played an active role in assisting in restitution cases involving U.S. citizens and have assisted the Government in its attempts to become a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research and to initiate a liaison project on Holocaust education in cooperation with the Task Force.

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### SLOVENIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 12,589 square miles, and its population is approximately 1.99 million. Estimates of religious identification vary. According to the 1991 census, the numbers are: Roman Catholic, 1.4 million (72 percent); No answer, 377,000 (19 percent); Atheist, 85,500 (4.3 percent); Orthodox, 46,000 (2 percent); Muslim, 29,000 (1.5 percent); Protestant, 19,000 (1 percent); Agnostic, 4,000 (0.2 percent); and Jewish, 201 (0.01 percent).

The Orthodox and Muslim populations appear to correspond to the country's immigrant Serb and Bosniak populations, respectively. These groups tend to have a lower socioeconomic status in society.

Foreign missionaries, including a mission of the Church of Jesus Christ of Latter-Day Saints (Mormons) and other religious groups (including Hare Krishna, Scientology, and Unification organizations) operate without hindrance.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

There are no formal requirements for recognition as a religion by the Government. Religious communities must register with the Government's Office for Religious Communities if they wish to be recognized as legal entities; to date no groups have been denied registration. The Government proposed an amended Religious Communities Act to Parliament in 1998 that would have offered non-profit status to registered religious communities; however, this bill had not yet been adopted as of the end of the period covered by this report.

In 1999 the Government signed an agreement regarding the legal position of the Roman Catholic Church in Slovenia with the Bishop's Conference, and concluded a similar agreement in 2000 with the Evangelical (Lutheran) Church of the Augsburg Confession in Slovenia. Other religious communities have expressed interest in negotiating similar agreements with the Government. In December 2001, the Government concluded an Agreement on Legal Questions with The Holy See.

Religious groups, including foreign missionaries, must register with the Ministry of the Interior if they wish to receive value added tax rebates on a quarterly basis. All groups in the country report equal access to registration and tax rebate status.

The appropriate role for religious instruction in schools continues to be an issue of debate. The Constitution states that parents are entitled to give their children "a moral and religious upbringing." Only those schools supported by religious bodies teach religion.

In May 2002, the Law on Defense was amended to include a provision specifically providing military personnel with the right to religious services and creating a chaplain corps to provide services in the Catholic, Orthodox, Protestant, and Muslim faiths.

The Roman Catholic Church was a major property holder in the Kingdom of Yugoslavia before World War II. After the war, much church property—churches and support buildings, residences, businesses, and forests—was confiscated and nationalized by the Socialist Federal Republic of Yugoslavia. After Slovenian independence in 1991, Parliament passed legislation calling for denationalization (restitution or compensation) within a fixed period. Despite the Catholic Church's numerical predominance, restitution of its property remains a politically unpopular issue. In July 2001, the Ministry of Agriculture issued a decree returning approximately 20,396 acres of forests in Triglav National Park to the Church. However, in May 2002, this decree was annulled by the Ljubljana Administrative Court in response to multiple legal challenges.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

The Muslim community registered a complaint with the Ombudsman during the period covered by this report because public broadcaster RTV Slovenia refused to allow them free airtime to address their community during Ramadan—a privilege granted to the Catholic, Serb Orthodox, and Protestant communities during their respective religious holidays. The Ombudsman pursued the complaint with TV Slovenia, which agreed to grant airtime to the Muslim community for this purpose in 2002.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Societal attitudes toward religion are complex. Historical events dating long before the country's independence color societal perceptions regarding the dominant Catholic Church. Much of the gulf between the (at least nominally) Catholic center-right and the largely agnostic or atheistic left stems from the massacre of large numbers of alleged Nazi and Fascist collaborators in the years 1946–48. Many of the so-called collaborators were successful businessmen whose assets were confiscated after they were killed or driven from the country, and many were prominent Catholics. Societal attitudes towards the minority Muslim and Serb Orthodox communities generally are tolerant; however, some persons fear the possible emergence of Muslim fundamentalism.

Interfaith relations are generally amicable, although there is little warmth between the majority Catholic Church and foreign missionary groups, such as the Mormons, which are viewed as aggressive proselytizers.

While there are no governmental restrictions on the Muslim community's freedom of worship, services commonly are held in private homes under cramped conditions. The community has conceptual plans to build a new facility in Ljubljana. As of June 2002, a potential site had been identified and necessary amendments to the city plan were under consideration by the local government. However, processes to obtain permits are notoriously complex, and offer anyone who might wish to oppose the construction many opportunities to delay the project.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy has held extensive discussions with the Government on the topic of property denationalization in the context of the rule of law, although it has not discussed specifically church property during these sessions. Additionally the Embassy has made informal inquiries into the status of the mosque construction project (see Section II). The Embassy meets with members of all major religious communities, with representatives of nongovernmental organizations that address religious freedom issues, and with government officials from relevant offices and ministries.

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**SPAIN**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion; however, the Catholic Church enjoys some privileges unavailable to other faiths.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationships among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 194,897 square miles, and its population is approximately 41 million.

According to 1998 statistics collected by the Roman Catholic Church, 93.63 percent of citizens are Roman Catholic. This figure is drawn in part from records of events such as baptisms, first communions and weddings; the number of self-described Catholics is lower. A survey published in February 2002 by the Center for Sociological Investigations found that 82.1 percent of citizens consider themselves Catholic, of whom 19 percent attend Mass regularly; 2 percent are followers of other religions; 10.2 percent are nonbelievers or agnostics; and 4.4 percent are atheists. The Federation of Evangelical Religious Entities (FEREDE) represents 350,000 Spanish Protestants, but estimates that there are 800,000 foreign Protestants, mostly European, who reside in the country at least 6 months of each year. The Federa-

tion of Spanish Islamic Entities (FEERI) estimates that there are more than 450,000 Muslims, not including illegal immigrants (who could number a quarter million). Some 50,000 Jews attend religious services. There are approximately 9,000 practicing Buddhists.

In May 2002, the Register of Religious Entities listed 11,706 entities created by the Catholic Church; 813 Protestant, Islamic, or Jewish entities; 375 entities of other religions; and 153 Catholic canonical foundations.

In May 2002, there were 1,188 non-Catholic churches, confessions, and communities in the register, including 604 Protestant church entities. Protestant entities include 89 Charismatic churches, 120 Assemblies of Brothers, 213 Baptist churches, 64 Pentecostal churches, 36 Presbyterian churches, 1 Evangelical Church of Philadelphia, 9 Church of Christ churches, 1 Salvation Army entity, 17 Anglican churches, 60 interdenominational churches, 25 Churches for Attention to Foreigners, 3 Adventist churches, and 106 other evangelical churches. In addition, there are also 5 Orthodox entities, 3 Christian Scientist entities, 1 entity of Jehovah's Witnesses, 1 entity of the Church of Jesus Christ of Latter-Day Saints (Mormons), 1 entity of the Unification Church, 10 entities of other Christian confessions, 15 entities of Judaism, 159 entities of Islam, 2 entities of the Baha'i Faith, 3 entities of Hinduism, 13 entities of Buddhism, and 3 entities of other confessions.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. Discrimination on the basis of religious beliefs is illegal.

The 1978 Constitution, which declares the country to be a secular state, and various laws provide that no religion should have the character of a state religion. However, the Government treats religions in different ways. Catholicism is the dominant religion, and enjoys the closest official relationship with the Government as well as financial support. The relationship is defined by four 1979 accords between Spain and the Holy See, covering economic, religious education, military, and judicial matters. Jews, Muslims, and Protestants have official status through bilateral agreements, but enjoy fewer privileges. Other recognized religions, such as Jehovah's Witnesses and the Mormons, are covered by constitutional protections but have no special agreements with the Government.

Among the various benefits enjoyed by the Catholic Church is financing through the tax system; a box on the income tax form permits taxpayers to assign approximately 0.5 percent of their taxes to the Catholic Church. The State ensures a minimum level of financing regardless of taxpayer contributions. Direct payments in 2001 amounted to approximately \$120 million (21,746 million pesetas), not including state funding for religion teachers in public schools, military and hospital chaplains, and other indirect assistance.

The Organic Law of Religious Freedom of 1980 implements the constitutional provision for freedom of religion. The 1980 law establishes a legal regime and certain privileges for religious organizations. To enjoy the benefits of this regime, religious organizations must be entered in the Register of Religious Entities maintained by the General Directorate of Religious Affairs of the Ministry of Justice, which is updated regularly. To register with the Ministry of Justice, religious groups must submit documentation supporting their claim to be religions. If a group's application is rejected, it may appeal the decision to the courts. If it is judged not to be a religion, it may be included on a Register of Associations maintained by the Ministry of Interior. Inclusion on the Register of Associations grants legal status as authorized by the law regulating the right of association. Religions not officially recognized, such as the Church of Scientology, are treated as cultural associations.

The Catholic Church does not have to register with the Ministry of Justice's religious entities list; however, some Catholic entities do register for financial or other reasons. The first section of the Register of Religious Entities, called the special section, contains a list of religious entities created by the Catholic Church and a list of non-Catholic churches, confessions, and communities that have an agreement on cooperation with the State. In 1992 agreements on cooperation with the State were signed by three organizations on behalf of Protestants, Jews, and Muslims; the organizations were the Federation of Evangelical Entities of Spain (FEREDE), the Federation of Israelite Communities of Spain (FCIE), and the Islamic Commission of Spain (CIE).

Leaders of the Protestant, Muslim, and Jewish communities report that they continue to press the Government for comparable privileges to those enjoyed by the

Catholic Church. Their list of concerns includes public financing, expanded tax exemptions, improved media access, removal of Catholic symbols from some official military acts, and fewer restrictions on opening new places of worship. Minority religious groups often have difficulty navigating city requirements such as municipal building codes to open storefront places of worship. Protestant and Muslim leaders also called for the Government to provide more support for public religious education in their respective faiths.

Religion courses are offered in public schools but are not mandatory. The Catholic Church and other religious entities support religious schools.

Foreign and national missionaries proselytize without restriction.

National religious holidays include Epiphany (January 6), Holy Thursday and Good Friday, Assumption (August 15), All Saints Day (November 1), Immaculate Conception (December 8), and Christmas (December 25); some communities celebrate local religious holidays. National religious holidays do not have a negative impact on other religious groups.

Restrictions on Freedom of Religion

Government policy and practice contributed to the generally free practice of religion.

The State funds Catholic chaplains for the military, prisons, and hospitals. The 1992 bilateral agreements recognize the right of Protestant and Muslim members of the armed forces to have access to religious services, subject to the needs of the service and authorization by their superiors. According to the agreements, such services are to be provided by ministers and imams approved by the religious federations and authorized by the military command. However, Protestant and Muslim leaders report that there are no military regulations to implement the 1992 agreements. Muslim leaders report that prison officials generally provide access for imams to visit Muslim prisoners, but officials have not granted permission for imams to hold religious services on prison grounds. Negotiations between the Government and the Protestant and Muslim federations for improved access were ongoing at the end of the period covered by this report.

In 1999 the Salvation Army was unable to obtain a permit to open a children's center in Tenerife; the group submitted a new application, but had not received a response by the end of the period covered by this report. The local government denied the original permit application, in part because of a police report that referred to the Salvation Army as a "destructive sect." The Ministry of Religious Affairs subsequently advised the local government that the Salvation Army, as a registered religious entity, could not be considered a "destructive sect."

In December 2001, a Madrid court acquitted 15 persons of charges of illicit association and tax evasion. The charges arose from a fraud complaint against Church of Scientology offices Dianetica and Narconon and the subsequent arrest of Scientology International President Heber Jentzsch and 71 others at a 1988 convention in Madrid. Scientology representatives asserted that the indictment against Jentzsch, who was not part of the trial, was religiously based; officials denied this assertion. At the prosecutor's recommendation, the court dismissed the case against Jentzsch in April 2002.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationships among religions in society contributed to religious freedom.

The growth of the country's immigrant population has at times led to social friction, which in isolated instances has had a religious component. In May 2002, arsonists burned an evangelical church in the town of Arganda del Rey, in the Madrid Autonomous Community. The church, whose congregation was predominantly Romanian, previously had been vandalized with anti-immigrant graffiti. Police arrested four youths, who according to the local mayor were associated with an ultra-right group. In May 2002, the Catalan town of Premià de Mar was the site of neighborhood protests over the local Muslim community's intention to build a mosque in the center of town. In April 2001, a local judge had ordered the community's storefront mosque closed due to overcrowded and dilapidated conditions. The city allowed the group to use a public school for Friday prayers as a transitional facility. The neighbors' complaints focused on fears that the mosque would attract more immi-

grants, and the inadequacy of the site for the proposed mosque, which could cause overcrowding and unsanitary conditions.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy officials met with religious leaders of a number of denominations during the period covered by this report.

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### SWEDEN

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 173,732 square miles, and its population is an estimated 8.9 million. Approximately 84 percent of the population belong to the Church of Sweden. It is possible to leave the Church of Sweden, and an increasing number of persons do. In 1999 when the Church and the State separated, 33,299 persons left the Church of Sweden, more than twice as many as in the previous years. The number decreased somewhat in 2000, but in 2001 it again increased to a record high of 53,702.

There are approximately 150,000 Roman Catholics. The Orthodox Church has approximately 100,000 members, and the main national Orthodox churches are Greek, Serbian, Syrian, Romanian, and Macedonian. There also is a large Finnish-speaking Lutheran denomination. While weekly services in Christian houses of worship generally are poorly attended, a large number of persons observe major festivals of the ecclesiastical year and prefer a religious ceremony to mark the turning points of life. Approximately 75 percent of children are baptized, 50 percent of all those eligible are confirmed, and 90 percent of funeral services are performed under the auspices of the Church of Sweden. Approximately 60 percent of couples marrying choose a Church of Sweden ceremony.

There are a relatively large number of smaller church bodies. Several are offshoots of 19th century revival movements in the Church of Sweden. Others, such as the Baptist Union of Sweden and the Methodist Church of Sweden, trace their roots to British and North American revival movements.

The Jewish community has 10,000 active, practicing members; however, the total number of Jews living in the country is estimated to be approximately 20,000. There are Orthodox, Conservative, and Reform Jewish synagogues. Large numbers of Jews attend high holiday services but attendance at weekly services is low. The exact number of Muslims is difficult to estimate; however, it has increased rapidly in the past several years. The number provided by the Muslim community is approximately 350,000 members, of whom around 100,000 are active. Muslim affiliations are represented among immigrant groups are predominantly with the Shi'a and Sunni branches of Islam. There are mosques in many parts of the country. Buddhists and Hindus number approximately 3,000 to 4,000 persons each. Although no reliable statistics are available, it is estimated that 15 to 20 percent of the adult population are atheist.

The major religious communities and the Church of Sweden are spread across the country. Large numbers of immigrants in recent decades have led to the introduction of nontraditional religions in those communities populated by immigrants.

The Church of Jesus Christ of Latter-Day Saints (Mormons) and other foreign missionary groups are active in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. The rights and freedoms enumerated in the Constitution include freedom of worship, protection from compulsion to make known one's religious views, and protection from compulsion to belong to a religious community.

The country maintained a state (Lutheran) church for several hundred years, supported by a general "church tax," although the Government routinely granted any request by a taxpayer for exemption from the tax. All churches of all faiths receive state financial support. In 1995 after decades of discussion, the Church of Sweden and the Government agreed to a formal separation. The separation came into effect in 2000; however, the Church still is to receive some state support.

Foreign missionary groups do not face special requirements.

Religious education is part of an overall schedule of compulsory course work in public schools, but is not limited to instruction in the state religion.

The law permitted official institutions, such as government ministries and Parliament, to provide the public with copies of documents that are filed with the institutions, although such documents may be unpublished and protected by copyright law. For example, unpublished documents belonging to the Church of Scientology had been made available to the public. In February 2000, a new law was enacted that eliminated the former contradiction between the Constitution's freedom of information provisions and the Government's international obligations to protect unpublished copyrighted works. The new legislation states that the freedom of information does not apply when it can be assumed that the copyright holder does not wish his/her work to be made public.

The Office of the Ombudsman Against Ethnic Discrimination investigates claims by individuals or groups of discrimination "due to race, skin color, national or ethnic origin, or religion." For many years the Government has supported the activities of groups working to combat anti-Semitism. In 1998 the Government began a national Holocaust education project after a public opinion poll found that a low percentage of school children had even basic knowledge about the Holocaust. Approximately 1 million copies of the education project's core textbook (available at no cost to every household with children, including in the most prevalent immigrant languages) are in circulation. The Government initiated an intergovernmental multinational Task Force for International Cooperation on Holocaust Education, Remembrance, and Research, to combat anti-Semitism, racism, and intolerance by reinforcing efforts to educate about the Holocaust with international political support. Eight other countries, including the United States, are members of the Task Force.

In 1998 the Government published a report by a commission of experts entitled "In Good Faith—Society and New Religious Movements." The report sought to determine the need of persons leaving new religious movements for support from the national community. The report emphasized the needs of children. According to the commission, each year approximately 100 persons seek assistance for various medical, legal, social, economic, or spiritual difficulties arising from their departure from new religious movements. The commission recommended passage of legislation making "improper influence" (such as forcing an individual to renounce his or her faith, or other such "manipulation") a punishable offense. The Government decided not to go forward with the commission's proposal, reasoning that it would be difficult to determine the proper balance between the freedom of speech and the proposed offense of "improper influence."

In October 2001, a new law became effective that regulates the circumcision of boys. The law stipulates that the circumcision may be performed only by a licensed doctor or, on boys under the age of 2 months, a person certified by the National Board of Health. Approximately 3,000 Muslim boys and 40 to 50 Jewish boys are circumcised each year. Jewish mohels have been certified by the National Board of Health to carry out the operations, but they must be accompanied by a medical doctor or a nurse for anesthesia. The Jewish community has protested against the law on the grounds that it interferes with their religious traditions. The new law is scheduled to be evaluated in 4 years.

The Government promotes interfaith understanding and meets annually with representatives from various religious groups. The Commission for State Grants to Religious Communities (SST) is a government body that cooperates with the Swedish Free Church Council. SST members are selected by religious bodies, that are entitled to some form of state financial assistance.

*Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who have been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

Citizens are tolerant of diverse religious practitioners, including Mormons and Scientologists. However, some anti-Semitism exists, which occasionally takes the form of vandalism or assault. The number of reported anti-Semitic crimes has increased in the past several years. In 2000 a total of 131 crimes with anti-Semitic overtones were reported to the police. According to the Jewish community, in the fall of 2001, anti-Semitic tendencies increased due in part to growing tension in the Middle East.

During the fall of 2001, the Muslim community received many threats. Several mosques received bomb threats, and a Muslim school in the western suburbs was fire bombed on September 17, 2001; no one was injured in the attack. Police were conducting investigations at end of the period covered by this report. Surveys have indicated that members of the Muslim community have experienced more negative treatment since the fall of 2001.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Government is a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research. The U.S. Government had criticized the law that made unpublished Scientology documents public.

**SWITZERLAND**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 15,941 square miles, and its population is an estimated 7.21 million.

Experts estimate that between 300 to 800 denominations and groups are established throughout the country. Approximately 95 percent of the population traditionally has been split evenly between Protestant churches and the Catholic Church. Since the 1980's, there has been a trend of persons, primarily Protestants, formally renouncing their church membership. According to the Federal Government's Office of Statistics, membership in religious denominations is as follows: approximately 44.1 percent Roman Catholic, 36.6 percent Protestant, 4.5 percent Muslim, 1.2 percent Orthodox, 1.9 percent other religions, and 11.7 percent no religion. There are an estimated 58,500 persons belonging to other Christian groups; 29,175 belonging to new religious movements; 17,577 Jews; and 11,748 Old Catholics.

Islamic organizations believe that the Muslim population has grown to 350,000 persons, due to the influx of Yugoslav refugees in the past several years. Muslims, who are the country's largest non-Christian minority, practice their religion throughout the country. Although only 2 mosques exist—in Zurich and Geneva—there are approximately 120 Islamic centers throughout the country.

Groups such as Young Life, Youth for Christ, the Church of Scientology, Youth With a Mission, the Salvation Army, Jehovah's Witnesses, the Church of Jesus

Christ of Latter-Day Saints (Mormons), Seventh-Day Adventists, and the Islamic Call are active in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

The Constitution grants freedom of creed and conscience and the Federal Criminal Code prohibits any form of debasement or discrimination of any religion or of any religious adherents.

There is no official state church. However, all of the cantons financially support at least one of the three traditional denominations—Roman Catholic, Old Catholic, or Protestant—with funds collected through taxation. Each of the 26 states (cantons) has its own regulations regarding the relationship between church and state. In all cantons an individual may choose not to contribute to church taxes. However, in some cantons private companies are unable to avoid payment of the church tax. A religious organization must register with the Government in order to receive tax-exempt status. There have been no reports of a nontraditional religious group applying for the “church taxation” status that the traditional three denominations enjoy. Total church taxation revenues were \$850 million (1.3 billion Swiss francs) in 1997.

Groups of foreign origin are free to proselytize. Foreign missionaries must obtain a “religious worker” visa to work in the country. Requirements include proof that the foreigner would not displace a citizen from doing the job, that the foreigner would be supported financially by the host organization, and that the country of origin of religious workers also grants visas to Swiss religious workers. Youth “interns” may qualify for special visas as well.

Religion is taught in public schools. The doctrine presented depends on which religion predominates in the particular state. However, those of different faiths are free to attend classes for their own creeds during the class period. Atheists are not required to attend the classes. Parents also may send their children to private schools or teach their children at home.

In response to the issue of Holocaust era assets, the Government and private sector initiated a series of measures designed to shed light on the past, provide assistance to Holocaust victims, and address claims to dormant accounts in Swiss banks. These measures included: The Independent Commission of Experts under Professor Jean-Francois Bergier, which concluded on March 20, 2002, a 600 page report on the country’s wartime history and its role as a financial center; the Independent Committee of Eminent Persons under Paul Volcker, charged with resolving the issue of dormant World War II era accounts in Swiss banks; the Swiss Special Fund for Needy Holocaust Victims worth \$180 million (288 million Swiss francs); and the Swiss Special Fund for Needy Holocaust Victims worth \$180 million (288 million Swiss francs), financed by both the private sector and the Swiss National Bank, which was paid to 309,000 persons in 60 countries.

The debate over the country’s World War II record contributed to the problem of anti-Semitism (see Section III). The Federal Council took action to address the problem of anti-Semitism. The Federal Department of the Interior has set up a Federal Service for the Combating of Racism to coordinate anti-racism activities of the Federal Administration with cantonal and communal authorities. This Federal Service, which began operating at the beginning of 2002, has a budget of 15 million Swiss francs to use over a 5-year period. Of this money, 500,000 Swiss francs per year was reserved for the establishment of new local consultation centers where victims of racial or religious discrimination may seek assistance. Approximately 130 of these consultation centers or contact points already exist in the country. In addition, the Federal Service for the Combating of Racism sponsors and manages a variety of projects to combat racism, including some projects specifically addressing the problem of anti-Semitism.

In 1999 the Federal Council (Cabinet) announced the creation of a Center for Tolerance in Bern. Planning for the center under the chairmanship of a former parliamentarian is continuing, and financing is expected to come from the public and private sectors. The Center, which plans to produce curricula material to address the roots of racism, provides exhibits designed to teach historical lessons, offer academic research opportunities, and host international symposia, held its first symposium, “Bern-Discussion for Tolerance” on November 11, 2001 in a hotel in Bern. Meanwhile the search for a permanent location for the planned center continues.

The Government does not initiate interfaith activities.

Of the country's 16 largest political parties, only 3—the Evangelical People's Party, the Christian Democratic Party, and the Christian Social Party—subscribe to a religious philosophy. There have been no reports of individuals being excluded from a political party because of their religious beliefs. Some groups have organized their own parties, such as the Transcendental Meditation Maharishi's Party of Nature and the Argentinean Guru's Humanistic Party. However, none of these have gained enough of a following to win political representation.

*Restrictions on Religious Freedom*

On December 19, 2001, the Vaud cantonal court rejected a claim by the Church of Scientology that Lausanne authorities had discriminated against them and prevented them from renting a restaurant and launching an advertising campaign. The court said that the Church of Scientology could not be considered as a "real church" because it "did not believe in God," and because its services had no religious connection. As a result, the court said that religious discrimination could not apply. The Church did not appeal the court decision.

Due to increasing concern over certain groups, in 1997 the Government had asked an advisory commission to examine the Church of Scientology. The commission's 1998 report concluded that there was no basis for special monitoring of the Church, since it did not represent any direct or immediate threat to the security of the country. However, the report stated that the Church had characteristics of a totalitarian organization and had its own intelligence network. The commission also warned of the significant financial burden imposed on Church of Scientology members and recommended reexamining the issue at a later date. In December 2000, the Federal Department of Police published a follow-up report, which concluded that the activities of such groups, including Scientology, had not altered significantly since the first report and that their special monitoring therefore was not justified. The Government no longer specially monitors the Church of Scientology.

In 1999 the Church of Scientology failed in the country's highest court to overturn a municipal law in Basel that barred persons from being approached on the street by those using "deceptive or dishonest methods." The Court ruled that the law, prompted by efforts to curb Scientology, involved an intervention in religious freedom but did not infringe on it.

The city of Buchs, St. Gallen, also has passed a law modeled on the Basel law. However, it is still legal to proselytize in nonintrusive ways, such as through public speaking on the street or by going door-to-door in neighborhoods.

In 1995 in Zurich, Scientologists appealed a city decision that prohibited them from distributing flyers on public property. In 1999 a higher court decided that the Scientologists' activities were commercial and not religious, and that the city should grant them and other commercial enterprises such as fast food restaurants more freedom to distribute flyers on a permit basis. Fearing a heavy administrative and enforcement workload, the city appealed to the Supreme Court. The Supreme Court rejected the appeal in 2000, reinforcing the decision by the previous court that the Scientologists' activities were commercial in nature. The Supreme Court decision is expected to establish a nationwide legal guideline on the issue.

In Winterthur City, the authorities require Scientologists to apply for an annual permit to sell their books on public streets. The permit limits their activities to certain areas and certain days. This practice has been in effect since 1995 when a district court upheld fines issued to Scientologists by the city for accosting passers by to invite them onto their premises to sell them books and conduct personality tests. The court ruled that the Scientologists' activities primarily were commercial, rather than religious, which required them to get an annual permit for the book sale on public property and prohibited them from distributing flyers or other advertising material. The Supreme Court's decision in that case is expected to be the national legal guideline on the issue.

In January 2002, the City of Zurich decided to establish a Muslim cemetery, ending a decade-long struggle of local Muslim organizations for a place to bury their members. The cemetery is expected to be ready by the end of 2002, adjacent to an existing public cemetery in a Zurich suburb. It offers space for a few hundred graves and meets Muslim religious requirements. Muslim congregations also may use the existing infrastructure of the cemetery to perform rituals. Muslim cemeteries already exist in Geneva, Bern, and Basel.

In February 2002, the European Court of Human Rights upheld the Canton of Geneva's legal prohibition of a Muslim primary school teacher from wearing a headscarf in the classroom. The Court ruled that the Geneva regulations do not violate the articles on religious freedom and nondiscrimination of the European Convention on Human Rights. The Court found that the legal provisions did not dis-

criminate against the religious convictions of the complainant, but were meant to protect the rights of other subjects as well as the public order.

On March 13, 2002, the Government backed down on its proposal to lift the ban on the ritual slaughter of animals after its draft bill met with strong opposition during public consultation. Ritual slaughter (the bleeding to death of animals that have not been stunned first) has been banned in the country since 1893. The Government proposed to lift the ban because it considered it to be an infringement on the freedom of religious minorities; however, the proposal provoked a wave of opposition from animal rights and consumer groups, veterinary surgeons, and farmers arguing that the practice inflicted undue suffering on animals. The Government took its decision to maintain the ban in the interest of religious peace after consulting with Jewish organizations. The Government announced that new legislation would be drafted to allow explicitly the import of kosher and halal meat, which already generally is readily available at comparable prices.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

According to the 2001 Swiss National Security Report, as of December 2001, there had been 183 cases brought to court under the 1995 antiracism law, with 83 convictions. Of those, 43 were convicted for racist oral or written slurs, 19 persons for anti-Semitism, 17 for revisionism, and 4 for other reasons.

In June 2001, a visiting Israeli Orthodox rabbi was shot and killed in Zurich. Although the circumstances of the event stimulated speculation that it may have been a hate crime, police were unable to uncover any evidence about the perpetrator or his motives.

On May 22, 2002, a Vevey district court sentenced three revisionists—Gaston-Armand Amaudruz, Philippe Georges Brennenstuhl and Rene-Louis Berclaz—to prison terms of 3 and, in Berclaz's case, 8 months for racial discrimination. All men were found guilty of writing and distributing two books that outlined their revisionist and anti-Semitic views to the general public. Only Brennenstuhl was present at the court ruling. He declined to answer the court's questions and built his case on the constitutional right to free speech.

In 1998 the Federal Commission Against Racism released a report on anti-Semitism expressing concern that the controversy over the country's role during World War II had to some extent contributed to increased expressions of latent anti-Semitism. At the same time, the Commission described the emergence of strong public opposition to anti-Semitism and credited the Federal Council with taking a "decisive stand" against anti-Semitism. The Commission also proposed various public and private measures to combat anti-Semitism and encourage greater tolerance and understanding.

In response the Federal Council committed itself to intensify efforts to combat anti-Semitic sentiment and racism. The Federal Council welcomed the publicly funded 1999 Bergier Commission report that disclosed the country's World War II record on turning away certain refugees fleeing from Nazi oppression, including Jewish applicants. The Federal Council described the publication of the Bergier Report as an occasion for reflection and discussion of the country's World War II history. The Federal Council took new action to address the problem of anti-Semitism (see Section II).

In March 2000, a Geneva research group released a survey in cooperation with the American Jewish Committee in New York, stating that anti-Semitic views are held by 16 percent of citizens. Other prominent survey firms, as well as some Jewish leaders, disputed the accuracy of the Geneva firm's survey, stating that the survey overestimated the prevalence of anti-Semitic views. According to the survey, 33 percent of Swiss People's Party (SVP) supporters voiced anti-Semitic views. However, the survey found that 92 percent of all Swiss youth rejected anti-Semitic notions. The survey reflected some inconsistencies. For example, during the recent period of controversy over the country's World War II record, public opinion in support of the country's antiracism laws actually strengthened.

There have been no reports of difficulties in Muslims buying or renting space to worship. Although occasional complaints arise, such as a Muslim employee not

being given time to pray during the workday, attitudes generally are tolerant toward Muslims.

Many nongovernmental organizations coordinate interfaith events throughout the country.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy discusses religious freedom issues with both Government officials and representatives of the various faiths.

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### TAJIKISTAN

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there are some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report. Government policies reflect a pervasive fear of Islamic fundamentalism, a fear shared by much of the general population. The Government monitors the activities of religious institutions to keep them from becoming overtly political. Members of the organization Hizb ut-Tahrir (Party of Emancipation), an Islamist movement with origins in the Middle East, were subject to arrest and imprisonment for subversion. The Government, including President Imomali Rahmonov, continued to enunciate a policy of active "secularism," which it tends to define in antireligious rather than nonreligious terms.

The generally amicable relationship among religions in society contributed to religious freedom; however, unknown persons killed two Baha'i leaders in October and December 2001 for religious reasons. Some mainstream Muslim leaders occasionally expressed concern that minority religious groups undermine national unity.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 55,300 square miles, and its population is approximately 6.6 million. An estimated 95 percent of the citizens consider themselves Muslims, although the degree of religious observance varies widely. Only an estimated 10 to 15 percent regularly follow Muslim practices (such as daily prayer and dietary restrictions) or attend services at mosques. The number of Muslims who fast during the holy month of Ramadan continued to increase; up to 99 percent of Muslims in the countryside and more than 66 percent in the cities fasted during the latest month of Ramadan. Approximately 3 percent of all Muslims are Ismailis; most of them reside in the remote Gorno-Badakhshan region as well as certain districts of the southern Khatlon region and in Dushanbe. Most of the rest of the Muslim inhabitants (approximately 90 percent) are Sunni, while approximately 4 percent are Shi'a.

There are approximately 230,000 Christians, mostly ethnic Russians and other Soviet-era immigrant groups. The largest Christian group is Russian Orthodox, but there also are Baptists (five registered organizations), Roman Catholics (two registered organizations), Seventh-Day Adventists (one registered organization), Korean Protestants (one registered organization), Lutherans (no data on registration), and Jehovah's Witnesses (one registered organization). Other religious minorities are very small and include Baha'is (four registered organizations), Zoroastrians (no data on registered organizations), Hare Krishna (one registered organization), and Jews (one registered organization). Each of these groups probably totals less than 1 percent of the population. The overwhelming majority of these groups live in the capital or other large cities.

Christian missionaries from Western countries, Korea, India, and other countries are present, but their numbers are quite small. The number of recent Christian converts is estimated to be approximately 2,000 persons. One group of Islamic missionaries from Saudi Arabia paid a two-week visit to the country in February 2002.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there are some restrictions, and the Govern-

ment monitors the activities of religious institutions to keep them from becoming overtly political. Members of the organization Hizb ut-Tahrir (Party of Emancipation), an Islamist movement with origins in the Middle East, were subject to arrest and imprisonment for subversion.

According to the Law on Religion and Religious Organizations, religious communities must be registered by the State Committee on Religious Affairs (SCRA) under the Council of Ministers, which monitors the activities of Muslim groups, the Russian Orthodox Church, and possibly other religious establishments. While the official reason given to justify registration is to ensure that religious groups act in accordance with the law, the practical purpose is to ensure that they do not become overtly political. However, the SCRA no longer registers neighborhood mosques; in September 2001, local religious affairs authorities assumed responsibility for the registration of mosques as well as the local communities of other religious groups. In 1997 the Council of the Islamic Center was subordinated to the SCRF. This move took place quietly, and with no apparent objection from the observant Muslim community.

More than 5,000 mosques were estimated to be open for daily prayers; 3,500 of these mosques were registered as of May, 2002. Socalled "Friday mosques" (large facilities built for Friday prayers) must be registered with the SCRA. Of these mosques, 247 were registered. These figures do not include Ismaili places of worship because complete data were unavailable.

Regularly throughout the period covered by this report, President Rahmonov strongly defended "secularism," which in the country's political context is a highly politicized term that carries the strong connotation—likely understood both by the President and his audience—of being "antireligious" rather than "nonreligious." The President also occasionally criticized Islam as a political threat. While the vast majority of citizens consider themselves Muslims and are not anti-Islamic, there is a significant fear of Islamic fundamentalism among both progovernment forces and much of the population at large.

A 1999 constitutional amendment stated that the State is secular and that citizens may be members of political parties formed on a religious basis, although a 1998 law specifying that parties may not receive support from religious institutions remained in effect. Two representatives from a religiously oriented party, the Islamic Renaissance Party, were members in the Lower House of the national Parliament during the period covered by this report. There also were several deputies from the Islamic Renaissance Party in regional and district parliaments around the country.

Although there is no official state religion, the Government has declared two Islamic holidays, Id Al-Fitr and Idi Qurbon, as state holidays.

There are small private publishers that publish Islamic materials without serious problems. There is no restriction on the distribution or possession of the Koran, the Bible, or other religious works. The Islamic Renaissance Party continued to publish its official newspaper, Najot (founded in 1999). Because Najot lost access to government owned printing presses in 2000, apparently for political reasons, the newspaper is published on a privately owned press. The party also publishes Naison, a magazine for women. The Union of Islamic Scientists of Tajikistan publishes the weekly journal Chashmandoz. Privately owned mass circulation newspapers regularly published articles explaining Islamic beliefs and practices.

#### *Restrictions on Religious Freedom*

Missionaries of registered religious groups were not restricted legally and proselytized openly. There were no reports of harassment of such groups, although missionaries are not particularly welcomed. The Government's fear of Islamic terrorists prompted it to restrict visas for Muslim missionaries. There was evidence of an unofficial ban on foreign missionaries who were perceived as extreme Islamic fundamentalists. The Government has banned specifically the activity of the Hizb ut-Tahrir, which has developed a significant following among the ethnic Uzbek population in the north. This movement operates underground and allegedly calls for a nonviolent overthrow of established authority and the reestablishment of government along the lines of the six "rightly guided Caliphs" of early Islamic history. There were numerous arrests of individuals alleged to have been associated with Hizb ut-Tahrir.

There were allegations that during the period covered by this report unregistered mosques were forced to close in areas throughout the country; for example, during summer 2001 and later during the holy month of Ramadan, unregistered mosques in Khatlon and Sughd reportedly were closed. In Dushanbe city authorities during Ramadan informed several "teahouses" where Muslims gathered to pray and discuss

religion that they would need to register as mosques; officials did not restrict activities at these teahouses while the registration applications were pending.

Aside from the registration requirement, there were few official constraints on religious practice; however, government officials sometimes issued extrajudicial restrictions. For example, in early 2001, the mayor of Dushanbe prohibited mosques from using loudspeakers for the 5-times-daily call to prayer. Similar restrictions were initiated in the southern Khatlon and northern Soghd regions. There also were reports that some local officials have forbidden members of the Islamic Renaissance Party to speak in mosques in their region. However, this restriction is more a reflection of political rather than religious differences. In Isfara following allegations that a private Arabic language school was hosting a suspected Uzbek terrorist, the authorities imposed restrictions on private Arabic language schools (to include restrictions on private Islamic instruction). Although these restrictions applied to religious instruction, authorities probably were taking actions based more on their political concerns than on their antipathy to religion.

There were no further reports of harassment of members of a Baptist congregation in Dushanbe, which was fined in 2000 for refusing to register, during the period covered by this report.

In the spring of 2001, there were reports that local authorities in the city of Qurghanteppe (also, Kurgan-Tyube) prevented a Christian church from registering. The church appealed to the SCRA, which mediated the dispute. In January 2002, the church was registered.

Government-imposed restrictions on the number of pilgrims allowed to undertake the Hajj were loosened during the period covered by this report. A total of 5,200 Tajiks made the pilgrimage (out of a Saudi-imposed limit of 5,900), which was an increase of 1,600 compared with the previous Hajj. The Government imposed regional quotas on the number of pilgrims permitted to undertake the Hajj, which led to increased corruption as places were sold. The motivation for quotas and other restrictions appears to be profit (maximizing bribes from Hajj pilgrims), rather than discouraging religious practice.

Government publishing houses are prohibited from publishing anything in Arabic script; they do not publish religious literature. However, in 1998 the President initiated a project to publish a Tajik version of the Koran in both Cyrillic and Arabic script, which was printed in Iran and sold through the Iranian bookshop in Dushanbe.

The police guard occasionally confronted members of the Baha'i community outside Dushanbe's Baha'i Center and asked them why they had forsaken Islam. Others were called in by the Ministry of Security and asked why they had changed religious affiliation.

#### *Abuses of Religious Freedom*

The Government detained numerous members of the Islamist organization, Hizb ut-Tahrir in the northern, primarily ethnic Uzbek, Leninobod district and imprisoned some of them. These measures primarily were a reaction to the group's political agenda of replacing the Government with an Islamic caliphate. Although the Hizb ut-Tahrir asserts that it intends to accomplish this by nonviolence, officials are concerned by its alleged links to terrorist organizations, including the Islamic Movement of Uzbekistan (IMU). According to the Ministry of Security, more than 105 members of Hizb ut-Tahrir were arrested during 2001 and charged with planning to overthrow the Government. More than half of these persons were sentenced to between 1 and 2 years imprisonment. Although in October 2001 a court convicted two members of the Islamic Renaissance Party in a trial with members of Hizb Ut-Tahrir, the Government immediately granted the two IRP members amnesties. In 2000 one Hizb ut-Tahrir member reportedly died in police custody. Most analysts believe that the Government harasses Hizb ut-Tahrir members because of the political implications of their religious beliefs. The Hizb ut-Tahrir, although part of a world-wide organization that calls for the creation of a world-wide Muslim Caliphate, is linked with groups of the same name in neighboring Uzbekistan. In that country, it has become a target of repression by the Government, which has accused its members of acting against the constitutional order and of having close ties to the violent extremist group, the IMU.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Conflict between different religious groups virtually is unknown, in part because there are so few non-Muslims. However, some Muslim leaders occasionally expressed concern that minority religious groups undermine national unity. While the vast majority of citizens consider themselves Muslims and most of the inhabitants are not anti-Islamic, there is a pervasive fear of Islamic fundamentalism among both progovernment forces and much of the population at large.

In August 2001, two Dushanbe Islamic Institute students, convicted of the October 2000 bombing of a Protestant church in Dushanbe which that seven persons and injured many more, were executed. A third student suspected in the case escaped and was not rearrested. The students confessed to the bombing and said that their motive was religious; specifically, they opposed foreign missionaries converting Tajik Muslims to Christianity. They were not known to have any ties with extremist groups.

Government law enforcement and security agencies were investigating the 2000 bombings of the Syvato-Nikolskii Russian Orthodox Church and a Seventh-Day Adventist Church in Dushanbe, but no progress was made during the period covered by this report. There were no injuries from the bombings.

The small Baha'i community generally did not experience prejudice; however, two Baha'i residents of Dushanbe were shot and killed on October 23 and December 31, 2001. A police investigation determined that both men were killed because of their religion. No suspects were arrested by mid-2002, but the investigation was continuing. There were no reports of progress in the investigation of the 1999 killing of a prominent 88-year-old leader of the community in Dushanbe. Members of the Baha'i community believe that he was killed because of his religion, since none of his personal possessions were taken from the murder scene. Police made no arrests, but militant Islamists aligned with Iran were considered likely perpetrators.

In 2001 Hare Krishna groups experienced limited discrimination; however, such problems have diminished."

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Through public diplomacy, the U.S. Embassy has supported programs designed to create a better understanding of how democracies address the issue of secularism and religious freedom. Several participants in these programs reported that they had developed a better understanding of the role that religion could pay in an open society.

In Washington, the Office of International Religious Freedom and other Department and U.S. officials met to discuss religious freedom with a group of Tajik journalists on a U.S. Government sponsored visitors program, and with a group of religious figures and scholars, including a high-ranking government official, who were in the U.S. as participants in a visitors program to promote religious tolerance.

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**TURKEY**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government imposes some restrictions on religious groups and on religious expression in government offices and state-run institutions, including universities.

There was no significant change in the status of respect for religious freedom during the period covered by this report. Some Muslims, Christians, and Baha'is faced some restrictions and occasional harassment, including detentions for alleged proselytizing or unauthorized meetings. The Government continued to oppose "Islamic fundamentalism." An intense debate continues over a broad government ban on wearing Muslim religious dress in state facilities, including universities, schools, and workplaces. Following the June 2001 closure of the Islamist-led Fazilet (Virtue) party for "anti-secular activities," two new Islamist political parties were formed. The leader of one of these new parties, a former Istanbul mayor, is under investigation for allegedly "fomenting religious enmity" in public speeches made several years earlier.

Government policy and the generally amicable relationship among religions in society contributed to religious freedom; however, some Muslims, Christians, and Baha'is face societal suspicion and mistrust.

The U.S. Government frequently discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 301,394 square miles, and its population is approximately 65.6 million. Approximately 98 percent of the population is Muslim, the majority of whom are Sunni. The level of religious observance varies throughout the country, in part due to a strong adherence to secularism. In addition to the country's Sunni Muslim majority, there are an estimated 12 million Alevi, a heterodox Muslim sect. Turkish Alevi rituals include men and women worshipping together through speeches, poetry, and dance. Some Turkish Alevi maintain they are not Muslims.

There are several other religious groups, mostly concentrated in Istanbul and other large cities. While exact membership figures are not available, these include an estimated 50,000 Armenian Orthodox Christians, 25,000 Jews, and from 3,000 to 5,000 Greek Orthodox adherents. These three groups are recognized by the Government as having special legal minority status under the 1923 Lausanne Treaty. There also are approximately 10,000 Baha'is, as well as an estimated 15,000 Syrian Orthodox (Syriac) Christians, 3,000 Protestants, and small, undetermined numbers of Bulgarian, Chaldean, Nestorian, Georgian, and Maronite Christians. The number of Syriac Christians in the southeast once was high; however, many Syriacs have migrated to Istanbul, Europe, or North America.

There are no known estimates of the number and religious affiliation of foreign missionaries in the country.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government imposes some restrictions on non-Muslim religious groups and on Muslim religious expression in government offices and state-run institutions, including universities, usually for the stated reason of combating religious fundamentalism. The Constitution establishes the country as a secular state and provides for freedom of belief, freedom of worship, and the private dissemination of religious ideas. However, these rights are restricted particularly by other constitutional provisions regarding the integrity and existence of the secular State. The Constitution prohibits discrimination on religious grounds.

The Government oversees Muslim religious facilities and education through its Directorate of Religious Affairs (Diyanet). It regulates the operation of the country's 75,000 mosques, and employs local and provincial imams, who are civil servants. Some groups claim that the Diyanet reflects mainstream Sunni Islamic beliefs to the exclusion of other beliefs; however, the Government asserts that the Diyanet treats equally all those who request services.

A separate government agency, the Office of Foundations (Vakiflar Genel Mudurlugu), regulates some activities of non-Muslim religious groups and their affiliated churches, monasteries, religious schools, and related property. There are 160 "minority foundations" recognized by the Vakiflar, including Greek Orthodox (approximately 70 sites), Armenian Orthodox (approximately 50), and Jewish (20), as well as Syrian Christian, Chaldean, Bulgarian Orthodox, Georgian, and Maroni foundations. The Vakiflar also regulates Muslim charitable religious foundations, including schools and hospitals.

In November 2001, there were press reports that a Syriac Christian church in Harput, Elazig province, was reopened after 51 years; it is the second oldest church in the country.

Non-Muslim religious foundations legally may not acquire property for any purpose, although under certain circumstances foundation property may revert to the State. In November 2001, this legal status was reconfirmed, when the Supreme Court ruled that such foundations were established under the Ottoman sultanate and therefore could not be expanded under existing law. The Armenian Patriarchate publicly protested the Supreme Court's ruling on the grounds that this policy significantly would affect its and other faiths' ability to sustain themselves.

In May 2000, a Protestant community in Istanbul won the right to charter itself as a "Protestant cultural organization." This community owns a building outright, can arrange work visas for a few staff, and has set up a chapel with weekly services. Normally all "religious" foundations had to have been in existence since the early days of the republic in order to be deemed as such. Other Protestant groups are engaged in the lengthy process of applying for permission to form foundations. Some

religious groups have lost property to the State in the past, or continue to fight against such losses. If a non-Muslim community does not use its property due to a decline in the size of its congregation to under 10 individuals, the Vakıflar may assume direct administration and ownership. If such groups can demonstrate a renewed community need, they may apply to recover their properties.

Government authorities do not interfere on matters of doctrine pertaining to non-Muslim religions, nor do they restrict the publication or use of religious literature among members of the religion.

There are legal restrictions against insulting any religion recognized by the State, interfering with that religion's services, or debasing its property.

Alevis freely practice their beliefs and build "Cem houses" (places of gathering). Many Alevis allege discrimination in the State's failure to include any of their doctrines or beliefs in religious instruction classes (which reflect Sunni Muslim doctrines) in public schools, and charge a bias in the Diyanet. No funds are allocated specifically from the Diyanet budget for Alevi activities or religious leadership. However, some Sunni Islamic political activists charge that the secular state favors and is under the influence of the Alevis.

#### *Restrictions on Religious Freedom*

The Government imposes some restrictions on religious groups and on religious expression in government offices and state-run institutions, including universities.

The Government, in particular the military, judiciary, and other members of the secular elite, continued to wage campaigns against proponents of Islamic fundamentalism. Fundamentalism, especially the advocacy of Shari'a law, is viewed by these groups as a threat to the democratic secular republic. The National Security Council (NSC)—a powerful military/civilian body established by the 1982 Constitution to advise senior leadership on national security matters—categorizes religious fundamentalism as a threat to public safety. Despite the NSC's activism on this issue, legislative measures have been taken in only 5 of an 18-point "anti-fundamentalist" plan introduced in 1997.

According to the human rights nongovernmental organization (NGO), "Mazlum Der," (Organization of Human Rights and Solidarity for Oppressed People), some government ministries have amended their internal regulations and dismissed civil servants suspected of anti-state (including Islamist) activities, one of the 1997 points. According to Mazlum Der and media accounts, the military regularly dismisses observant Muslims from the service. Allegedly such dismissals are based on behavior that the military believes identifies these individuals as Islamic fundamentalists, and their fear is that such individuals have less loyalty to a secular, democratic state.

In February 2002, an Administrative Court closed the Union of Alevi-Bektasi Organizations (ABKB) on the grounds that it violated the Associations Law, which prohibits the establishment of associations "in the name of any religion, race, social class, religion, or sect." The ABKB is appealing of the decision.

Tarikats (religious orders and communities) and other mystical Sunni Islamic, quasi-religious, and social orders have been banned officially since the 1920's but largely are tolerated. The NSC has called for stricter enforcement of the ban as part of its campaign against the perceived threat of Islamic fundamentalism. Nevertheless, some prominent political and social leaders continue to be associated with Tarikats or other Islamic communities.

Under the law, religious services may take place only in designated places of worship. Under municipal codes, only the State can designate a place of worship, and if a religion has no legal standing in the country it may not be eligible for a designated site. Non-Muslim religious services, especially for religious groups that do not own property recognized by the Vakıflar, often take place in diplomatic property or private apartments. Police occasionally bar Christians from holding services in private apartments.

An August 2001 circular signed by the Ministry of Interior encouraged some governors to use existing laws (such as those which regulate meetings, religious building zoning, and education), while "bearing in mind" those provisions of the law which provide for freedom of religion, in order to regulate gatherings of "Protestants, Baha'is, Jehovah's Witnesses, Believers in Christ, etc ..." within their provinces. According to one Protestant group, as well as other observers and media reports, local authorities asked more than a dozen churches in Istanbul and elsewhere to close or they have been subject to increased police harassment since the publication of the circular.

Following the Constitutional Court's June 2001 closure of the Islamist Fazilet (Virtue) party for being a center of activities "contrary to the principle of the secular republic," two successor parties were formed—the Saadet (Contentment) Party and

the AK (Justice and Development) Party. AK Party Chairman and former Istanbul Mayor Recep Tayyip Erdogan faced immediate legal challenges to his role as founding member of the party, based on his 1999 conviction for the crime of “inciting religious hatred.” In January 2002, the Constitutional Court ruled that Erdogan was ineligible to run for Parliament due to this conviction and therefore could not be a founding member of the party, and gave the AK an October 2002 deadline to correct the situation. Erdogan also faces possible legal charges based on speeches he made in the early 1990’s that allegedly contained anti-secularist statements, and for alleged financial misconduct.

In July 2001, the European Court of Human Rights upheld the Government’s 1998 decision to close Fazilet’s predecessor party, Refah. The court ruled that the closure “could reasonably be considered to meet a pressing social need for the protection of a democratic society” because, according to the ECHR’s analysis, Refah had espoused the possibility of instituting Shari’a law in Turkey.

Following his indictment in August 2000, the Turkish courts continued to try a case in absentia against Fetullah Gulen, an Islamic philosopher and leader, who resides in the United States, for “attempting to change the characteristics of the Republic” by allegedly trying to establish a theocratic Islamic state. The prosecutor also charged that Gulen attempted to “infiltrate” the military. The Government is seeking a maximum 10-year sentence based on the Anti-Terror Law.

The authorities monitor the activities of Eastern Orthodox churches but do not interfere with their activities. While the Government does not recognize the ecumenical nature of the Greek Orthodox patriarch, it acknowledges him as head of the Turkish Greek Orthodox community and does not interfere with his travels or other ecumenical activities. The Ecumenical Patriarch in Istanbul continues to seek to reopen the Halki seminary on the island of Heybeli in the Sea of Marmara. The seminary has been closed since 1971, when the State nationalized all private institutions of higher learning. Under existing restrictions, including a citizenship requirement, religious communities largely remain unable to train new clergy in the country for eventual leadership. Coreligionists from outside the country have been permitted to assume leadership positions.

There is no law that explicitly prohibits proselytizing or religious conversions; however, many prosecutors and police regard proselytizing and religious activism with suspicion, especially when such activities are deemed to have political overtones. Police occasionally bar Christians from proselytizing by handing out literature. Police occasionally arrest proselytizers for disturbing the peace, “insulting Islam,” conducting unauthorized educational courses, or distributing literature that has criminal or separatist elements. Courts usually dismiss such charges. If the proselytizers are foreigners, they may be deported, but generally they are able to reenter the country. Police officers may report students who meet with Christian missionaries to their families or to university authorities.

The Government continued to enforce a long-term ban on the wearing of religious head coverings at universities or by civil servants in public buildings. Women who wear head coverings, and both men and women who actively show support for those who defy the ban, have been disciplined or lost their jobs in the public sector as nurses and teachers. Students who wear head coverings are not permitted to register for classes. In March 2002, deputies from Islamist parties in Parliament pressed for a motion of censure against the Minister of Education for allegedly “creating unrest at the ministry” and “escalating tensions” by enforcing strictly the headscarf ban, including at imam-hatip (religious) high schools. In June 2002, a special parliamentary committee concluded that the Minister should not face charges.

Some members of non-Muslim religious groups claim that they have limited career prospects in government or military service. A 1997 law made 8 years of secular education compulsory. Students may pursue study at Islamic Imam-Hatip high schools upon completion of 8 years in the secular public schools. Imam-Hatip schools are classified as vocational, and therefore the graduates face some barriers to university admission such as an automatic reduction in their entrance exam grades. Only the Diyanet is authorized to provide religious training, usually through the public schools, although some clandestine private religious classes may exist. Students who complete 5 years of primary school may enroll in Diyanet Koran classes on weekends and during summer vacation.

State-sponsored Islamic religious and moral instruction in public 8-year primary schools is compulsory. Upon written verification of their non-Muslim background, minorities “recognized” by the Government under the 1923 Lausanne Treaty (Greek Orthodox, Armenian Orthodox, and Jewish) are exempted by law from Muslim religious instruction. These students may attend courses with parental consent. Other non-Muslim minorities, such as Catholics, Protestants, and Syriac Christians, are not exempted legally; however, in practice may obtain exemptions. The courts have

ruled that all universities are public institutions and, as such, have an obligation to protect the country's basic principles, such as secularism. Small, peaceful protests against this policy occurred at various times during the period covered by this report, and some journalists and supporters face minor charges relating to their roles in the protests.

Some religious groups have lost property to the State in the past, or continue to fight against such losses. In the case of an Armenian church in Kirikhan, Hatay province, which may be expropriated since its community has decreased to fewer than 10 persons, the Armenian Patriarchate won a court case allowing them to retain control of the property. However, the prosecutor subsequently appealed the verdict. The case was before the High Administrative Court at the end of the period covered by this report.

The Baha'i community continues to fight a legal battle against the proposed expropriation of a sacred site near Edirne. The case has been at the High Administrative Court for nearly 1 year. The Ministry of Culture had granted cultural heritage status to the site in 1993; however, in January 2000, the Ministry of Education notified the Baha'i community that the property would be expropriated for future use by the adjacent school.

Restoration or construction may be carried out in buildings and monuments considered "ancient" only with authorization of the regional board on the protection of cultural and national wealth. Bureaucratic procedures and considerations relating to historic preservation in the past have impeded repairs to religious facilities, especially in the Syrian Orthodox and Armenian properties. However, according to religious leaders, the Government has become more supportive of these communities' requests. Groups are prohibited from using funds from their properties in one part of the country from supporting their existing population in another part of the country.

Although religious affiliation is listed on national identity cards, there is no official discrimination based upon religious persuasion. Some religious groups, such as the Baha'i, allege that they are not permitted to state their religion on their cards because no category exists; they have made their concerns known to the Government.

Following a hearing on October 30, 2001, two university professors at Sivas' Cumhuriyet University were not expelled based on charges of allegedly ignoring official duties due to Baha'i related activities.

#### *Abuses of Religious Freedom*

Mehmet Kutlular, leader of the Nur Cemaati religious community, was convicted and imprisoned from May 2001 until February 2002 for "inciting religious hatred" in a 1999 newspaper article. In February 2002, the Ankara State Security Court ruled that, following new legislative reforms to the Constitution and free speech laws, Kutlular should be released early from his 2-year sentence. In 1999 Kutlular had published an article in his newspaper alleging that an earthquake, which killed more than 17,000 persons was "divine retribution" for laws banning headscarves in state buildings and universities. On March 5, 2002, a senior columnist for the Islamist newspaper *Yeni Safak*, Fehmi Kuru, was acquitted of charges of "inciting religious enmity" for a 1999 television broadcast in support of Kutlular.

In December 2001, a court acquitted and ordered the released of U.S. citizen and Sufi Muslim preacher Aydogan Fuat, who was arrested June 29, 2001, of charges in two separate courts of, respectively, causing religious enmity and wearing banned religious clothing. Fuat, who was arrested in June 2001, was held in custody for 5 months pending the outcome of his trial on "causing religious enmity" through speech. He was allowed regular consular visits. His trial for using religious dress also ended in acquittal in May 2002; however, the prosecutor appealed the acquittal. The appeal remained pending at the end of the period covered by this report.

In August 2001, the trial in Ankara of a group of Islamist politicians and business figures of the "National View Organization" ended when the court decided to apply the December 2000 Conditional Suspension of Sentences Law and dismissed the trial.

Christian groups have encountered difficulty in organizing (especially in university settings) in Gaziantep, Eskisehir, and other cities in which they have not sought recognition as a foundation; the authorities briefly detained some Turkish and foreign Christians in these areas.

The trial continued of seven Christians in Istanbul who were charged with holding illegal church and Bible study meetings in an apartment. This group alleges that the trial has been prolonged unnecessarily (it started in 2000) in order to prevent the group from legally re-forming and holding meetings. On June 27, 2002, a

criminal court dismissed the charges against Turkish Christian Kemal Timur in Diyarbakir who was arrested in 2000 for “insulting Islam.”

In April 2002, eight Ahmadi Muslims, members of a small religious community in Istanbul, were arrested and charged under Article 7 of the Anti-Terror Law (involvement with an organization “with terrorist aims”). Five subsequently were released on bail, while the remaining three (two Turkish citizens and one German citizen) continued to be held at the end of the period covered by this report.

There were no other reports of religious detainees or prisoners.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

In May 2002, the Diyanet adopted a series of decisions after holding a 4-day conference on religious issues with attendees from the Diyanet’s Supreme Council on Religious Issues and experts from theology schools. The Diyanet formally decided to: allow women to participate in the congregation for daily prayers, on Fridays, during religious holidays, and funeral prayers; allow those who have not memorized original Arabic prayers to make them in their native tongue; rule that men may not use the Koran as a premise for domestic violence; underline the necessity for civil marriages (rather than only religious marriages) in order to preserve women’s rights; and state that social and legal advances for women were not against the spirit of the Koran. Women immediately began to participate in prayers, without incurring negative initial reactions.

In the fall of 2001, the Diyanet issued an immediate statement condemning terrorism as a crime against humanity. The Diyanet also issued a statement, read during Friday prayers at all mosques, stressing that there is no Islamic justification for any form of terrorism. This message was reinforced during the Ramazan period at state-sponsored Iftaar dinners attended by members of non-Muslim religious groups, and repeated in a statement at the Diyanet-sponsored “Fifth Eurasia Islamic Council.”

### SECTION III. SOCIETAL ATTITUDES

Government policy and the generally amicable relationship among religions in society contributed to religious freedom; however, some Muslims, Christians, and Baha’is face societal suspicion and mistrust. Jews and most Christian denominations freely practice their religions and report little discrimination in daily life. However, citizens who convert from Islam may experience some form of social harassment or pressure from family and neighbors. Proselytizing socially is unacceptable. A variety of newspapers and television shows have published anti-Christian messages, including one fringe newspaper (“Aydinlik”) that published in May 2002 a purported list of 40 churches in the city of Izmir that were “bribing” converts.

Many non-Muslim religious group members, along with many in the secular political majority of Muslims, fear the possibility of Islamic extremism and the involvement of even moderate Islam in politics. Several Islamist newspapers regularly publish anti-Semitic material.

In November 2001, an Istanbul NGO hosted an Iftaar dinner attended by the head of the Diyanet, the Armenian and Greek Orthodox Patriarchs, the Chief Rabbi, and the heads of the Syrian Orthodox, Roman Catholic, Bulgarian, Anglican and other Protestant churches, with the theme of brotherhood and tolerance. Such interfaith efforts occur occasionally, particularly in Istanbul.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Ambassador and other Mission officials, including staff of the U.S. Consulate General in Istanbul and the U.S. Consulate in Adana, enjoy close relations with Muslim majority and other religious groups. The U.S. Embassy has urged the Government to reopen the Halki seminary on Heybeli Island. In December 2001, the Secretary of State met with high ranking government officials to discuss several issues, including freedom of religion. In April and May 2002, visiting representatives from the State Department’s Bureau of Democracy, Human Rights, and Labor met with members of various religious groups to hear their concerns. The Ambassador and other Embassy officers also remain in close contact with local NGO’s that monitor freedom of religion.

Embassy and Consulate staff members monitor and report on incidents of detention of foreigners found proselytizing, and have attended the trials of Americans and others facing charges relating to free expression and the free practice of religion.

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## TURKMENISTAN

The Constitution provides for freedom of religion and does not establish a state religion; however, in practice the Government continues to restrict all forms of religious expression. A law on religious organizations requires that religious groups must have at least 500 members in each locality in which they wish to register in order to gain legal status with the Government. The only religions that have registered successfully under the law are Sunni Islam and Russian Orthodox Christianity, which are controlled by the Government. The law has prevented all other religious groups, of which there are many, from registering. The Government severely limits the activities of nonregistered religious congregations by prohibiting them from gathering publicly, proselytizing, and disseminating religious materials. The Government's interpretation of the law severely restricts their freedom to meet and worship in private.

There was no change in the status of respect for religious freedom during the period covered by this report; however, government harassment of some unregistered religious groups lessened. Harassment of nonregistered religious congregations continued and included arrest and seizure of property. However, there were no reported incidents of torture, Shageldy Atakov a well known religious prisoner was released, and the Government conducted a widespread internal investigation and prosecution of police and intelligence authorities that led to widespread dismissals and high-level prosecutions, including for human rights abuses.

There is no general, notable societal discrimination or violence based on religion in the country. Turkmen society historically has been tolerant and inclusive of different religious beliefs. The Government's restrictions on nontraditional religions apparently do not stem from doctrinal differences or societal friction between the majority Muslim population and non-Muslim communities. Rather, some observers have speculated that official restrictions on religious freedom, a holdover from the Soviet era, reflect the Government's concern that liberal religious policies could lead to political dissent, including in particular the introduction of Islamic extremist movements into the country. The Government appears to view participation in or sponsorship of nontraditional religions as a threat to the stability and the neutrality of the State.

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights. During the period covered by this report, Embassy representatives met frequently with the Government to appeal for greater support for religious freedom. The Ambassador met with high-level government officials urging them to rescind legislation on registration of religious groups and hosted several public events to promote religious freedom in the country. Improving registration for nongovernmental groups, including religious organizations was a top U.S. priority in the country. Embassy officers visited with representatives of unregistered religious groups on a regular basis.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 188,407 square miles, and its population is approximately 5 million. Statistics regarding religious affiliation are not available. According to the most recent figures from the Government's 1995 census, ethnic Turkmen constituted 77 percent of the population. Minority populations included ethnic Uzbeks (9.2 percent), ethnic Russians (6.7 percent), and ethnic Kazakhs (2 percent). The remaining 5 percent of the population consisted of Armenians, Azeris, and other ethnic groups. The majority of the population is Sunni Muslim, and the largest minority is Russian Orthodox Christian. The level of religious observance was unknown for both religions.

Ethnic Turkmen, Uzbeks, and Kazakhs are predominantly Sunni Muslim. There are small pockets of Shi'a Muslims in the country, many of whom are ethnic Iranians living along the border with Iran. There has been a modest, government-sponsored and tightly controlled revival of Islam since independence. During the Soviet era, there were only 4 mosques operating; now there are an estimated 318. Nevertheless, mosque-based Islam does not play a dominant role in society, in part due to 70 years of Soviet rule, restrictions imposed by the Government, and because of the country's indigenous religious culture. Traditionally Turkmen express Islam

more through rituals associated with birth, marriage, and death, and through pilgrimage to the tombs of saints, rather than through regular attendance at a mosque.

While the 1995 census showed that Russians comprised almost 7 percent of the population, emigration to Russia and elsewhere has reduced this proportion considerably. The majority of ethnic Russians and Armenians are Christian. Practicing Russian Christians are most likely to be members of the Russian Orthodox Church. There are 11 Russian Orthodox churches in the main cities, 3 of which are in Ashgabat. A priest resident in Ashgabat, who also is a Deputy Chairman of the Government's Council on Religious Affairs, leads the Russian Orthodox Church. He serves under the religious jurisdiction of the Russian Orthodox Archbishop in Tashkent, Uzbekistan. There are five Russian Orthodox priests, but no seminaries. There have been plans to build a Russian Orthodox cathedral in Ashgabat since at least 2000, but no date had been set to begin construction by the end of the period covered by this report. The Armenian Apostolic Church has a small congregation but is considered an unregistered religious group. There are no Armenian Apostolic churches.

Russians and Armenians also tend to represent a significant percentage of the members of nonregistered religious congregations, although there are groups of ethnic Turkmen represented as well. There are small communities of Roman Catholics, Pentecostal Christians, Protestant Word of Life Church members, Jehovah's Witnesses, Seventh-Day Adventists, Baptists, Baha'is, Hare Krishna, and Jews. None of these groups is registered or maintains churches. The Seventh-Day Adventist church was demolished by the Government in November 1999, and the Baptist church was seized by the Government in April 2001. The Roman Catholic community in Ashgabat meets in the chapel of the Vatican Nunciature. It includes both citizens and foreigners. A very small community of ethnic Germans, most of whom live in and around the city of Serakhs, reportedly practices the Lutheran faith.

It is estimated that less than 1,000 ethnic Jews live in the country. Most are descendants from families that came to the country during World War II from Ukraine, but there also are some Jewish families living in Turkmenabat, on the border with Uzbekistan, who are members of the community known as Bokharski Jews, referring to the city of Bokhara, Uzbekistan. There were no complaints from this community although virtually all Jews in the country are reportedly non practicing. There are no synagogues or rabbis in the country. The size of the Jewish community continues to dwindle as members emigrate to Israel, Germany, and the United States.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, as does the 1991 Law on Freedom of Conscience and Religious Organizations, which was amended in 1995 and 1996; however, in practice the Government does not protect these rights. The law has been interpreted to control religious life tightly and to restrict severely the activities of all religions. There are no safeguards in the legal system that provide for remedy against violation of religious freedom or persecution by private actors.

According to the law on religious organizations, all congregations are required to register with the Government.

However, in order to register, a congregation must have 500 citizens of at least 18 years of age in each locality in which it wishes to register (i.e., it is not sufficient to have at least 500 members in the country as a whole). These requirements have made it impossible for religious communities other than Sunni Muslims and Russian Orthodox Christians to register. The situation is exacerbated because ethnic Turkmen members of Christian groups are hesitant to sign their names to a public document that shows that they have converted. Ethnic Turkmen who have converted to Christianity have been subjected to official harassment and mistreatment.

There is no state religion, but the majority of the population is Sunni Muslim. An individual is considered to be born into an ethnicity and religion at the same time. Departures from the pattern are rare and do not receive much support in society. The Government has incorporated some aspects of Islamic tradition into its effort to redefine a national identity. However, the Government is concerned about foreign Islamic movements spreading into the country.

The Government maintains tight control over the practice of Islam in several ways. It pays the salaries of all Muslim clerics. It approves the appointment of all senior clerics and requires them to report to the Council on Religious Affairs. In 1997 the Government began prohibiting mosque-based imams from gathering pupils and teaching about Islam. Following President Niyazov's closure of a mosque in

Dashoguz in 2001, the Theological Faculty at Turkmen State University in Ashgabat became the only academic institution to conduct Islamic education. The Government has declared further restrictions on Islamic education. In January 2002, the President declared that clerical students would be limited to 15–20 a year and would spend a year at Artogrud Gazy Mosque in Ashgabat and one year at the Goek Tepe Mosque.

Non-registered religious groups are prohibited officially from conducting religious activities, including gathering, disseminating religious materials, and proselytizing. This is a consequence of the Government's interpretation of the law rather than the law itself, which does not prohibit nonregistered religious groups from gathering. In fact the Law on Public Associations specifically excludes its application in the case of religious gatherings. Nevertheless government authorities regularly apply the Law on Public Associations when non-registered religious groups meet, even if the meetings occur in private homes. Participants are subject to fines and administrative arrest, according to the country's administrative code, and once administrative measures are exhausted, are subject to criminal prosecution. In such cases, the Soviet-era 1988 regulation on the procedure for conducting gatherings, meetings, marches, and demonstrations is applied, although gatherings in private homes are not within the scope of this regulation. In March 2002, there was an internal government investigation of the Committee for National Security (KNB) and other state security organs for possible abuse of human rights, including violation of the 1988 Soviet regulation on meetings, such as illegal searches of private homes. The entire leadership of the KNB was fired and some senior officials were prosecuted.

There is no religious instruction in public schools. However, the Government requires instruction on "Rukhnama," President Niyazov's spiritual guidebook on Turkmen culture and heritage, which was released in February 2001, in all public schools and institutes of higher learning. Rukhnama is present in every mosque and President Niyazov is mentioned officially in Muslim prayer. The Russian Orthodox Church conducts religious instruction classes for children. Home-schooling usually is allowed only in cases of severe illness or disability and not for religious reasons.

The Government maintains a Council on Religious Affairs that reports to President Niyazov. The Chairman is the Imam of the Goek Tepe Mosque. He serves with three deputy chairmen: the Mufti of Turkmenistan, the head of the Russian Orthodox Church in Turkmenistan, and a government representative. Technically, the Council acts as an intermediary between the government bureaucracy and registered religious organizations. However, in practice the Council acts as an arm of the state, supervising the work of the two registered religions and selecting their personnel, as well as helping to control all religious publications and activities. It has no role in promoting interfaith dialog beyond that between these two religions. Although the Government does not favor officially any one religion, it does provide some financial and other support for the construction of new mosques to the Council on Religious Affairs.

In addition, religious holidays that also are national holidays are all Muslim. These include Gurban Bairam (Eid al-Adha), a 3-day holiday that commemorates the end of the Hajj; and Oaza-Bairam (Eid al-Fitr), which commemorates the end of Ramadan, the Muslim month of fasting. These holidays do not have an overt negative impact on any non-Muslim groups.

#### *Restrictions on Religious Freedom*

The Government's registration requirements for religious groups, which specify that a group must have at least 500 citizens over the age of 18 as members in each locality, effectively prevent all religions but Sunni Islam and the Russian Orthodox Church from practicing openly. However, the only groups specifically banned by the Government are extremist groups that advocate violence.

The Government restricts organized religions in establishing places of worship. The Government does not allow unregistered groups to gather publicly or privately or to establish a church; it punishes individuals or groups who violate these prohibitions. Congregations continue to practice quietly and privately.

The Government restricts the number of Muslim places of worship whose construction requires government permission. According to the Council on Religious Affairs, every village should have one mosque. Large, monumental mosques, such as the ones in Ashgabat and Goek Tepe, and the one planned for Gipchak, are supported by the Government. Village mosques are supported by the local population. Villagers who wish to build a mosque must first obtain land from the local authorities, then get permission from nearby residents, and provide the funding for construction and maintenance.

The Government also controls and restricts access to Islamic education. Beginning in 1997, the Government began to restrict mosque-based imams from teaching Islam

to pupils. In a meeting with religious leaders in January 2002, President Niyazov explained he had closed all but one institution of Islamic education to prevent what he believed was inappropriate instruction of Islam. The President specified that future annual classes of religious students would be limited to between 15 to 20 students a year. The students would spend two years studying Islam, 1 year at the Artogrul Gazy Mosque in Ashgabat and another at the Goek Tepe Mosque. The Government controls the curriculum of this instruction. In 2001 the Government controlled the number of persons allowed to participate in the annual Muslim pilgrimage to Mecca (the Hajj). In December 2001, the Government again specified that only 187 pilgrims would be allowed to journey to Mecca (out of the country's quota of 4,600). Transport was to be provided free of charge by the national airline. However, in January 2002, the Government abolished exit-visas, in theory permitting travel to all those who wished to participate in the Hajj. The Government did not release statistics on how many pilgrims participated in the Hajj in 2002; however, there were anecdotal reports of individuals participating even though the Government closely screened travelers.

Although the Government continues to restrict the freedom of parents of some religious groups, such as the Adventists, to raise their children in accordance with their religious beliefs, the authorities had long tolerated Bahai's conducting of Sunday school until April 2002, when they were closed down across the country.

Foreign missionary activity is prohibited, although both Christian and Muslim missionaries have some presence in the country. Ethnic Turkmen members of unregistered religious groups who are accused of disseminating religious material receive harsher treatment than non-ethnic Turkmen, especially if they have received financial support from foreign sources.

#### *Abuses of Religious Freedom*

In November 1999, the Government razed the Seventh-Day Adventist church in Turkmenabat. In October 2000, the Adventist pastor was detained and questioned for several days in Turkmenabat after police and KNB members raided a prayer service he was conducting in a private apartment. The same private apartment was raided again in November 2001, when authorities dispersed a small Bible study of Seventh-Day Adventists. On the latter occasion, two of the participants were detained overnight by police. The Government charged the owner of the apartment for holding meetings of an unregistered religious organization in her home. The apartment owner was fined and evicted from her apartment. In January 2002, she left the country fearing for her personal safety.

According to Keston News Service, in May 2002, a group of Christians in the village of Deinau were forced to renounce their faith publicly. Three Christians who refused to comply with the local police, swearing to renounce the Bible and Jesus, were expelled from the village.

In November 2000, four ethnic Turkmen Baptists were detained, interrogated, and tortured by KNB officials in Anau, outside of Ashgabat, after local police found Christian literature in their car. In December the KNB again harassed and detained the four Baptists in Ashgabat and Turkmenabat. In December 2000, three of the ethnic Turkmen Baptists were forced to sign documents ceding houses, used for religious purposes, over to the Government, although they were allowed to keep their personal property. In February 2001, local authorities of the Niyazov district of Ashgabat sealed the country's last functioning Baptist church. In March 2001, the authorities reportedly broke the seals and removed all of the church's contents. The church had been in existence for 20 years, and was owned corporately by the congregation, which had been registered under the Soviets but lost registration in 1997 under the new law.

In 2001 the religious press reported that Dmitri Melnichenko, a member of a Baptist Church in Ashgabat, was arrested and tortured because of his persistent refusal, on religious grounds, to perform military service. These reports remain unconfirmed. Also in May 2001, a Baptist pastor and two fellow church members were detained by Mary KNB officials and questioned for several hours after the KNB broke up an open air religious service conducted by the pastor outside Mary. Local police officials prohibited the Baptists from ever traveling to Mary again. In July 2001, two Armenian Baptists were deported from Turkmenbashi because of their religious activity. In October 2001, the Keston News reported the Baptists' families also were deported, although these reports were unconfirmed. According to Keston News Service reports, in July 2001, five officers of the KNB, raided a Baptist church in the western town of Balkanabad. During the raid, the officers wrote down the name, address, and place of work of all those present and warned them not to meet again under the threat of confiscation of their church building. They reportedly also warned the Baptists not to take their case to court.

In December 2001, the religious press reported that an elderly blind Baptist was threatened with eviction from her apartment in the town of Khazar after holding a Baptist service that had been raided by secret police earlier in the week. Also in Khazar, in January 2002, six members of a Baptist congregation were fined for holding "illegal services." Since early 2002, there has been a dramatic decline in reports of government harassment of Baptists.

In November 2001, police raided a Protestant Word of Life Church meeting in Ashgabat. Approximately 40 persons were arrested after police dispersed the gathering held in a private apartment. Three non-Turkmen citizens who participated in the meeting were deported. The other participants subsequently were released but authorities imposed large fines on them. The Protestant Word of Life Church members were threatened with dismissal from work, confiscation of identity documents, and long-term imprisonment if the fines were not paid. The owner of the apartment in which the meeting was held was threatened with eviction. There were no reports whether the eviction was carried out. In December 2001, the Keston News Service later reported that several members of the Protestant Word of Life Church again were arrested for their participation in the November meeting; and one member was sentenced to 15 days in prison. The report was not confirmed.

In April 2001, a Pentecostal pastor lost his long court battle against eviction from the house in which he held religious services. The Ashgabat city government, without inspecting the premises, claimed he had made unauthorized renovations that rendered it unsafe for occupation. Despite the pastor's intention to appeal, the city has allowed 20 workers to live in the house.

In April 2001, a group of KNB, police, and city officials disrupted a Jehovah's Witnesses service in a private apartment. In June 2001, the city of Ashgabat determined that the owner of the apartment, a Jehovah's Witness adherent, should be evicted from the apartment and not provided with another because she had used the apartment for holding unauthorized religious meetings. However, there were no reports as to whether the eviction was carried out during the period covered by this report.

In April 2002, the Government closed all Baha'i Sunday school groups, which had been allowed to operate since the country's independence.

During the period covered by this report, there were credible but unconfirmed reports that certain congregations of Russian Orthodox Christians were prevented from practicing their faith despite the religion's registration with the Government.

In December 2001, several members of Jehovah's Witnesses who had been imprisoned for conscientious objection were released, however six of their colleagues were not. There were no other reports of religious detainees or prisoners.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

During the period covered by this report, there were no accounts that the Government tortured members of any religious groups.

In January 2002, the Government ended the exit visa regime that restricted external movement by Turkmen citizens. Members of unregistered religious groups are now allowed to travel to other countries for religious meetings without interference, and there were reports of believers exercising this option. In May 2002, approximately 30 Catholics were allowed to travel to Baku, Azerbaijan, to attend a Mass given by the Pope.

In January 2002, Baptist prisoner of conscience Shageldy Atakov was released from prison. Atakov had been in prison since 1999 for allegedly making an illegal transfer of automobiles in 1994. His original sentence of 2 years had been extended to 4 years and he was fined \$12,000, an unusually large fine for such an offense. Atakov denied the charges and claimed that he was being imprisoned because of his religious beliefs. Following his early release from prison, Atakov was placed under a month of observation by agents of the KNB, after which he was given complete freedom of movement and allowed to receive visitors. Embassy officers visited Atakov on two separate occasions. He was in fair health and reported no serious problems.

Unlike in the past, there were no reports of harassment of Baptists in Ashgabat by authorities during the period covered by this report.

In March 2002, the Government initiated an internal investigation of the KNB and other security organs in part because of allegations of human rights abuses. President Niyazov openly criticized several members of the KNB and other min-

istries for violating the law (for example, illegal searches of private homes). Some of those criticized for human rights abuses later were dismissed from their positions and stripped of their rank. Prosecutions have been instigated against the senior leadership of the KNB.

### SECTION III. SOCIETAL ATTITUDES

There were no reports of general, overt societal discrimination or violence based on religion during the period covered by this report. The culture historically is tolerant and inclusive of different religious beliefs. For example, in the early part of the 20th century, Ashgabat was a refuge for members of the Baha'i Faith escaping persecution in Iran, and the first Baha'i temple was built in Ashgabat. Government repression of minority religions does not reflect doctrinal or societal friction between the majority Muslim population and minority religions. Rather, observers believe that it reflects the Government's concern that the proliferation of nontraditional religions could lead to loss of state control, civil unrest, undue influence of foreign interests and the undermining of the Niyazov Government. The societal attitude toward conversion from Islam to any other religion generally is surprise, and often disapproval. Although most citizens do not emphasize mosque attendance or observance of many Islamic customs practiced in other parts of the Muslim world, they view being Muslim as an integral part of the national culture and identity.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights.

During the period covered by this report, the Embassy approached the Government regularly regarding the issue of religious freedom, at every level including with President Niyazov. In October 2001, the Ambassador met with members of the Council on Religious Affairs to press for increased religious freedom. In late October, the Ambassador opened a joint restoration project of a ruined mosque in Anau in an effort to promote religious tolerance. In November 2001, the Ambassador hosted an Iftar dinner, celebrating the breaking of the fast during Ramadan, in support of religious tolerance. In December 2001, the Ambassador joined European Union ambassadors in urging the Government to release religious prisoner Shageldy Atakov and calling for an end to the law on religious registration. During the announced December amnesty, the Ambassador again urged the highest levels of the Government to release Atakov later in the month.

Embassy efforts to promote religious freedom continued in 2002, when in January, the Ambassador and the Assistant Secretary of State for European Affairs met with President Niyazov and discussed several topics including increasing religious freedom. In February 2002, the Ambassador and Embassy staff met with the staff of the Organization for Security and Cooperation in Europe (OSCE) Center in Ashgabat to maximize cooperation in promoting religious freedom. During the period covered by this report, the Ambassador and Embassy officers encouraged the Government to increase religious freedom. President Niyazov wrote to President Bush in March 2002 to reiterate commitment to freedom of religion and to develop the country's religion law in accordance with OSCE and International Covenant on Civil and Political Rights (ICCPR) commitments. Throughout the period covered by this report, the Ambassador and Embassy officers regularly met with representatives of unregistered religious groups to hear about their situation and discuss possible steps for easing their difficulties. Embassy officers also visited Shageldy Atakov for updates on his condition after his release from prison. In May 2002, the Embassy sponsored a series of public events featuring an American Muslim who talked at length about religious freedom and tolerance. The Ambassador hosted a roundtable with members of minority faiths in May 2002.

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## UKRAINE

The 1996 Constitution and the 1991 law on Freedom of Conscience provide for freedom of religion and the Government generally respects these rights in practice; however, some minority and nontraditional religions have experienced difficulties in registration and in buying and leasing property.

During the period covered by this report, there was some improvement in Government respect for religious freedom; administrative difficulties faced by religious communities, primarily at the local level, diminished, and property restitution contin-

ued. However, registration and property restitution problems remained in some cases.

The generally amicable relationship among religions in society contributed to religious freedom; however, there were some exceptions, particularly among leaders of rival branches of the same faith. There were isolated instances of anti-Semitism and anti-Islamic sentiments. The All-Ukrainian Council of Churches and Religious Organizations (All-Ukrainian Council) contributed to the resolution of some disputes.

The U.S. Government actively supports religious freedom in the country and discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 233,088 square miles, and its population is 48.4 million. A nationwide survey conducted in 2001 by the research center SOCIS found that over 40 percent of the inhabitants considered themselves to be atheists. Religious practice is strongest in the western part of the country.

More than 90 percent of religiously active citizens are Christian, with the majority being Orthodox. Approximately 10 percent are members of the Ukrainian Greek Catholic Church. Roman Catholics claim 1 million adherents, or approximately 2 percent of the total population. There are small but significant populations of Jews and Muslims, as well as growing communities of Baptists, Seventh-Day Adventists, Evangelical Christians, adherents of the Church of Jesus Christ of Latter-Day Saints (Mormons), and members of Jehovah's Witnesses.

Most citizens identify themselves as Orthodox Christians of one of three Churches. The Ukrainian Orthodox Church, Moscow Patriarchate, is the largest single religious community, and is the largest of the country's Orthodox Churches. The Church has 9,423 registered communities, most of them located in the central, southern, and eastern parts of the country. It is headed by Metropolitan Volodymyr (Sabodan) of Kiev and All Ukraine. As part of the Russian Orthodox Church, the Ukrainian Orthodox Church, Moscow Patriarchate, was the only canonically recognized Orthodox Church during the period covered by this report.

The second largest Orthodox Church is the Ukrainian Orthodox Church, Kiev Patriarchate. This Church was formed after independence and has been headed since 1995 by Patriarch of Kiev and All Rus'Ukraine Filaret (Denisenko,) once the Russian Orthodox Metropolitan of Kiev and all Ukraine. It has 3,010 registered parishes, approximately 60 percent of which are in the western part of the country.

The smallest of the three major Orthodox Churches is the Ukrainian Autocephalous Orthodox Church. This Church was founded in 1919 in Kiev. Outlawed by Stalin in 1933, the Church has survived mainly among the Ukrainian Diaspora. It was legalized in 1989 and has 1,052 registered communities, most in the western regions. In the interest of the possible future unification of the country's Orthodox Churches, it did not name a Patriarch to succeed the late Patriarch Dmitriy. The Ukrainian Autocephalous Orthodox Church is headed by Metropolitan Mefodiy of Ternopil and Podil.

The second largest group of believers after the Christian Orthodox belongs to the Ukrainian Greek Catholic Church. It was formed in 1596 by the Council of Brest to unify Orthodox and Roman Catholic believers. This Church celebrates a Byzantine liturgy similar to the Orthodox Churches but is in full communion with the Pope. The Soviet regime forced the Ukrainian Greek Catholic Church to reunite with the Orthodox Church after the Second World War. However, it survived in hiding inside the country and among the Diaspora. Legalized in 1989, the Ukrainian Greek Catholic Church had 3,289 registered communities as of January 1, 2002. Its members constituted a majority of the believers in the West, and approximately 10 percent of the population as a whole, or approximately 4.5 to 5 million persons. The head of the Church is Lyubomyr Cardinal Huzar, Major Archbishop of Lviv.

The Roman Catholic Church is associated traditionally with historical pockets of citizens of Polish ancestry, located predominantly in the central and western districts. The Roman Catholic Church has 818 registered communities serving approximately 2 percent of the population. The Roman Catholic Church is headed by Marian Cardinal Jaworski, Archbishop of Lviv.

The Jewish community has a long history in the country dating back centuries to a time when much of present day Ukraine was within the Russian Empire's Pale of Settlement, the area of the Empire beyond which Jews were not permitted to live. Many of the Jewish population perished in the Holocaust, and still others were victims of Soviet repression. Published reports cite estimates of the Jewish population ranging from 250,000 to 325,000. Some Jewish leaders claim that the population is

as large as 500,000. It is thought that 35 to 40 percent of the Jewish population is active communally; there are 236 registered Jewish communities.

The Jewish population faces demographic difficulties. Emigration to Israel and the West has decreased the size of the Jewish population by approximately 30,000 annually, although the number of emigrants was significantly lower during the period covered by this report. In addition, the average age of Jews in the country is 60; scholars and local Jewish leaders estimate that approximately twelve deaths occur for every birth in the community. In spite of these demographic indicators, Jewish life continues to flourish, with additional communities registered every year due to an increased proportion of Jews practicing their faith (helped by an increase in the number of rabbis entering the country from Israel since Ukraine's independence) and an increased willingness of individuals to identify themselves as Jewish. Most observant Jews are Orthodox. The Chief Rabbi of all Orthodox Jews is Yaakov dov Bleich, a Karliner Stoller Hasidic rabbi. Rabbi Shmuel Kaminezki of the Chabad Lubovitch movement also has had great success in rebuilding the Jewish community in Dnipropetrovsk. Although smaller, the Progressive (Reform) Jewish movement continues to grow, with 46 communities at the end of the period covered by this report. The Chief Rabbi of the Progressive community is Rabbi Alexander Dukhovny. In 2001 a Conservative Jewish congregation was started in Uzhhorod.

Islam also has been practiced on the territory of contemporary Ukraine for centuries. Sheik Tamin Akhmed Mohammed Mutach, head of the Spiritual Directorate of the Muslims of Ukraine and representative on the All-Ukrainian Council estimated that there were as many as 2 million members of the Muslim community nationwide. Sheik Tamin notes there are approximately 50,000 Muslims—mostly foreign—living in Kiev alone. Most of the country's Muslims are Crimean Tatars. The Crimean Tatars were deported forcibly from Crimea in 1944, but began returning in 1989. Approximately 260,000, or 12 percent, of Crimea's population are Crimean Tatars. The leader of the Muslims of Crimea is Mufti Emirali Ablayev.

Protestant Churches have grown in the years since independence. Evangelical Baptists are perhaps the largest group, claiming over 140,000 members in approximately 2,160 communities. Other growing communities include Seventh-Day Adventists, Pentecostals, Mormons, Jehovah's Witnesses, and Evangelical Christians.

The growth in the numbers of communities representing nontraditional religious movements is evidence of the religious freedom in the country. According to the Ukrainian State Committee for Religious Affairs (SCRA), 31 Krishna Consciousness communities, 34 Buddhist communities, and 12 Baha'i communities have been formed since independence.

Foreign religious workers are active in many faiths and denominations. They play a particularly active role in Protestant and Mormon communities where missionary activity has been central to community growth. The Jewish community also depends on foreign religious workers; many Rabbis are not Ukrainian citizens.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The 1996 Constitution and the 1991 law on Freedom of Conscience provide for freedom of religion and the Government generally respects these rights in practice; however, some minority and nontraditional religions have experienced difficulties in registration and in buying and leasing property.

The law requires virtually all religious organizations to register with the State. The SCRA is responsible for liaison with religious organizations and for execution of state policy on religion. The Committee's headquarters are in Kiev; it maintains representatives in all regional capitals, as well as in the autonomous cities of Kiev and Sevastapol. Each religious organization with more than 10 adult members must register its articles and statutes either as a local or national organization in order to obtain the status of a "juridical entity," a status necessary to conduct many economic activities including publishing, banking, and property transactions. Registration also is necessary to be considered for restitution of religious property. National organizations must register with the SCRA, and then each local affiliate must register with the local office of the State Committee in the region where they are located. By law the registration process should take 1 month, or 3 months if the State Committee requests an expert opinion on the legitimacy of a group applying for registration. According to the SCRA, the average registration period is 3 months. In some cases, which require additional expert evaluation, it may take 6 months to register a religious organization. Denial of registration may be appealed in court. In addition to registration, local offices of the State Committee supervise compliance of religious organizations with the provisions of the law.

The SCRA often consults with the All-Ukrainian Council, whose membership represents the faiths of over 90 percent of the religiously active population. The All-Ukrainian Council meets once every two or three months, and has a rotating chairmanship. Representative members also use the Council as a means of discussing potential problems between religious faiths. For example, the Evangelical Christian-Baptists used the Council as a means to discuss concerns they had with some literature printed by the Ukrainian Orthodox Church, Moscow Patriarchate.

The law restricts the activities of “nonnative,” foreign based, religious organizations (“native religions” are defined as Orthodox, Greek Catholic, and Jewish), and narrowly defines the permissible activities of members of the clergy, preachers, teachers, and other foreign citizen representatives of foreign-based religious organizations. They may preach, administer religious ordinances, or practice other canonical activities “only in those religious organizations which invited them to Ukraine and with official approval of the governmental body that registered the statutes and the articles of the pertinent religious organization.” However, in practice there were no reports that the Government used the law to limit the activity of nonnative religious organizations. Unlike in previous years, there were no reports that non-native religions experienced difficulties in obtaining visas for foreign religious workers, registering, or carrying out their activities. The Government generally did not discriminate against individual believers of non-native religions.

On June 11, 2002, the Government submitted draft amendments to the Law on Religions to the Rada (Parliament). They had been formulated with input from the All-Ukrainian Council and included changes in registration procedures and expansion of types of property eligible for restitution. The amendments were not voted on during the period covered by this report. They elicited strong and varying reactions from religious communities. One religious leader noted that the draft amendments would help simplify the restitution process. Others expressed reservations over a proposed increase—from 10 to 25—in the number of members required for a religious community to be registered. Still others were concerned that the new amendments might strengthen the SCRA and its role in registration and restitution issues. These religious leaders claim that the State Committee already blurs the constitutionally-required division of church and state.

There is no state religion, although the Ukrainian Orthodox Church, Moscow Patriarchate, and the Ukrainian Greek Catholic Church tend to predominate in the east and west of the country, respectively. Some religious leaders allege that local government officials in the east and west favor the predominant confessions, although each of the major religions and many of the smaller ones maintain a presence in all parts of the country. The Government has spoken out in favor of unity of the country’s Orthodox Churches; it has tried to treat all Orthodox Churches equally.

Officially, religion must be kept out of the public school curriculum; however, the Government has attempted to introduce training in “basic Christian ethics” into schools. While Jewish leaders supported the teaching of ethics and civics in school, they insisted on a nonsectarian approach to this training. A working group was formed in the All-Ukrainian Council to discuss the issue; however, a resolution has yet to be reached. Schools run by religious communities can and do include religious education as an extracurricular activity.

The country officially celebrates numerous religious holidays, including Christmas Day, Easter Monday and Holy Trinity Day, all celebrated according to the Julian Calendar shared by Orthodox and Greek Catholics.

#### *Restrictions on Religious Freedom*

The Government generally permits religious organizations to establish places of worship and to train clergy. The Government continued to facilitate the building of houses of worship by allocation of land plots for new construction and through restitution of religious buildings to their rightful owners. Members of numerous communities described difficulties in dealing with Kiev’s municipal administration in obtaining land and building permits—problems not limited to religious groups. Restitution continued at a slower pace than in past years. Some religious leaders were pleased with the pace, while others felt it was too slow.

A 1993 amendment to the 1991 law on Religion and Freedom of Conscience limits the activities of foreign religious workers. Religious worker visas require invitations from registered Ukrainian religious organizations and the approval of the State Committee on Religious Affairs. In 2001, 13,578 foreign religious workers were admitted to the country. In the first 5 months of the period covered by this report, the SCRA in Kiev issued 2,145 visas. The number of foreign religious workers admitted by religious affairs departments of oblast administrations were not available at the end of the period covered by this report. Most missionaries work in Protes-

tant communities. In past years, fewer than one half of 1 percent of applications for religious visas were refused, according to the State Committee, usually because applicants improperly filled out forms. While no refusal data were available for the year covered by this report, no religious communities reported that they experienced problems obtaining religious worker visas during this time.

Under existing law, religious organizations maintain privileged status as the only organizations permitted to seek restitution of property confiscated by the Soviet regime. During the period covered by this report, only buildings and objects immediately necessary for religious worship were subject to restitution. Communities must apply to regional authorities. While the consideration of a claim should last 1 month, it frequently takes much longer. According to the SCRA, 8,589 buildings and over 10,000 religious objects have been returned to religious communities since independence. A total of 44 of these buildings were returned during the period covered by this report. Properties were returned to all three Orthodox Churches, as well as Jewish, Muslim, Ukrainian Greek Catholic, and Roman Catholic communities during this period. Draft amendments to the Law on Religion and Freedom of Conscience seek to expand the types of property eligible for restitution to include religious schools and administrative buildings.

Outstanding claims for restitution remain among all the major religious communities. Many properties for which restitution is sought are occupied, often by state institutions, or are historical landmarks. The slowing pace of restitution is, among other things, a reflection of economic conditions that make relocation of residents of seized religious property prohibitively expensive. In accordance with a presidential decree signed March 21, 2002, an interagency group was created with the primary goal of eliminating the consequences of totalitarian rule by returning property to religious communities.

Many religious groups suggest that they are slighted in matters of property restitution by the local governments in regions traditionally dominated by other religious groups. Representatives of the Ukrainian Orthodox Church, Kiev Patriarchate, the Ukrainian Autocephalous Orthodox Church, and the Ukrainian Greek Catholic Church alleged government preference for the Ukrainian Orthodox Church, Moscow Patriarchate in the east. Roman Catholic representatives allege governmental discrimination in favor of the three Orthodox churches. Moscow Patriarchate representatives claim intense pressure on their congregants in Lviv, Chernihiv, and Ivano-Frankivsk. The Kiev Patriarchate cited local authorities' failure to return cathedrals in Kharkiv or Zhytomyr, and noted difficulty in registering new communities in regions traditionally dominated by the Moscow Patriarchate, including Odesa, Chernihiv, and Poltava. The Kiev Patriarchate also claims that local authorities in Crimea are attempting to take away a building it uses for both religious and administrative services. Greek-Catholic representatives have reported that the Moscow Patriarchate repeatedly blocked their attempts to gain a plot of land for the purposes of building a church in Kharkiv. Roman Catholic representatives expressed frustration at unrealized restitution claims in Simferopol, Sevastopol, Bila Tserkva, Uman, Zhytomyr, and Kiev. They noted that local authorities have backtracked on a decision to grant the Roman Catholic Church a plot of land to build a church in Chernihiv.

Representatives of the Muslim community noted that they have been unable to register a community in Kharkiv for the past 10 years, while Muslims are often subject to document checks by local police. They have raised this issue with the Presidential Administration and the SCRA. Representatives of the Islamic community leaders expressed frustration with the Ministry of Education, which has yet to register a single Islamic school. These leaders suggested they are continuing to work with the SCRA to register their schools.

Representatives of the Progressive Jewish Communities claimed that local authorities and Chabad Lubovitch officials made statements against their community in the local press while the group was organizing Progressive Jewish communities in Dnipropetrovsk and Krivy Rih, a city in Dnipropetrovsk oblast. The Progressive Jewish Community claims that the Dnipropetrovsk Chabad Community opposes the registration of any Jewish community but Chabad in the region and that under pressure from Chabad Lubovitch, the Progressive Jewish community was denied registration in Dnipropetrovsk. The Progressive Jewish Community also reported that the Community's application for registration in Kryvy Rih, Dnipropetrovsk Oblast, has been under examination since 2001. Dnipropetrovsk was home to the father of the Lubavitcher Rebbe, Menachem Schneerson. However, Chabad Lubovitch officials claim that they actually assisted the Progressive Jewish Community's attempts to establish two communities in Dnipropetrovsk oblast, and subsequently have supported these communities financially.

Representatives of Evangelical Christian communities expressed concern over instances of discrimination against their adherents. However, such incidents appeared to be isolated. In two cases, they asserted that believers were forced to leave jobs in the military or in military production because their Evangelical churches had contact with missionaries from abroad. An evangelical pastor also noted that local authorities in some cities had denied permits for religious processions and that in a village in the Odesa region an Evangelical church opposed by a local Orthodox community had been refused permission to hold regular Church services. Evangelical churches, like many other religious communities, experienced difficulties in obtaining land plots.

Representatives of the Ukrainian Autocephalous Orthodox Church cited instances of difficulties in providing religious services to soldiers and of the need to obtain approval for prison ministry activities from prison chaplains of the Moscow Patriarchate. There was no alteration in these procedures during the period covered by this report.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversions, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

On March 21, 2002, President Kuchma signed a decree intended to overcome many of the prejudicial effects on religion of the Soviet regime, particularly to facilitate the restoration of property to religious communities. The decree called for the creation of a special commission to prepare proposals to achieve this end and present them by September 1, 2002. No measures had been taken to implement this decree as of the end of the period covered by this report, and it was not clear how the Government expects to achieve the decree's goals.

Another positive development involved a resolution passed on March 11, 2002, by the Government Committee on Social, Scientific, and Humanitarian Development stating that theology is now included on the list of academic disciplines. The resolution marks the first step in combining juridical registration and state accreditation for religious institutions. The next steps would include the development of a national standard for theology, accompanied by a syllabus, before institutional accreditation. According to the SCRA, at the beginning of 2002, there were 147 educational theological institutes, with 11,554 fulltime students and approximately 7,000 correspondent students. On June 29, 2002, an inauguration ceremony was held to convert the Lviv Theological Academy into the Ukrainian Christian University.

Other significant events covered by the period of this report included the Orthodox Church's celebration of the 950th anniversary of Monastery of the Caves, and the Jewish community's commemoration of several Holocaust atrocities. Kiev commemorated the 60th year of the Babyn Yar tragedy with a number of ceremonies, concerts, and exhibitions attended by highlevel government officials. In Dnipropetrovsk, residents attended the unveiling of a cornerstone commemorating Holocaust victims. In the Lviv oblast town of Staryi Sambir, the Jewish community opened a memorial park for a restored Jewish cemetery.

### SECTION III. SOCIETAL ATTITUDES

Relations among religious groups remain for the most part amicable; however there were strains, particularly among the leadership of contending religious groups. The March 2002 parliamentary elections, in which some priests of various Orthodox communities were accused of endorsing particular political parties or candidates in their sermons, added to the already tense inter orthodox relations, while tensions persisted over the continued presence of crosses at several Jewish burial grounds. While acts of anti-Semitism were uncommon, an attack on the Great Synagogue of Kiev in April 2002 by inebriated youths following a soccer match was a source of concern to the Jewish community. However, there were no other attacks on the synagogue during the period covered by this report, and most observers believe that the April incident was not premeditated.

As noted above, Orthodoxy is divided into three major Churches, only one of which, The Ukrainian Orthodox Church, Moscow Patriarchate, is recognized as canonical by the Orthodox world. The debate regarding possible unification of some or all of these Orthodox Churches and/or granting them canonical status as an autonomous Ukrainian Orthodox Church has lost momentum. Leaders of the Ukrainian Orthodox Church, Kiev Patriarchate, and Ukrainian Autocephalous Church began negotiations on unification in the hope that, when unified, they would be rec-

ognized as Ukraine's Orthodox Church by Orthodoxy's "First Among Equals," Patriarch Bartholomew of Constantinople. While an agreement has been reached to allow priests of these two churches to celebrate liturgies together, unification negotiations are stalled. For his part Patriarch Bartholomew has supported efforts aimed at Orthodox unity, meeting with or sending delegations to each of the three main Orthodox Churches to discuss the issue. Patriarch Bartholomew has not expressed an opinion as to who should lead a united Ukrainian Orthodox Church.

Pope John Paul II's June 2001 visit to the country was the source of much discussion and debate in religious and government circles. The Government actively promoted the Pope's visit as a sign of tolerance. Public events were attended by tens of thousands in Kiev, and hundreds of thousands in Lviv. Most religious and political leaders and, based on public opinion polls, over 90 percent of the public supported the Pope's visit.

However, the Pope's visit was criticized by the Russian Orthodox Church, and its affiliate in Ukraine, the Ukrainian Orthodox Church, Moscow Patriarchate. The Moscow Patriarchate organized small, peaceful protests prior to the visit, but held no demonstrations during the visit itself. The Russian Orthodox Church and the Ukrainian Orthodox Church, Moscow Patriarchate, have used the occasion of the visit to emphasize disputes with the Ukrainian Greek Catholic Church over church property in the western part of the country. These disputes, in part a legacy of the Soviet Union's forcible reunification of the Greek Catholic and Russian Orthodox Churches after World War II, remain a source of tension in interfaith relations.

The Ukrainian Orthodox Church, Moscow Patriarchate also accused the Ukrainian Greek Catholic Church of attempting to expand in regions where the Moscow Patriarchate is traditionally strong. Kharkiv city and regional administrations finally agreed to grant a plot of land to the Ukrainian Greek Catholic Church to build a church in November 2001, despite protests from the Ukrainian Orthodox Church, Moscow Patriarchate, whose leaders also opposed the decision by the Ukrainian Greek Catholic Church to move its head offices from Lviv to Kiev.

Disputes between the Kiev and Moscow Patriarchates continued. They included confrontations in Poltava, Crimea, and Vinnytsia Oblast. In Poltava the Kiev Patriarchate claims that Moscow Patriarchate priests seized a Kiev Patriarchate church, assaulted a Kiev Patriarchate priest, blockaded the church entrance, and conducted a liturgy. The Moscow Patriarchate claims, however, that the church in Poltava decided to leave the Kiev Patriarchate to join the Moscow Patriarchate. In Crimea, the Kiev Patriarchate claims that local authorities—in conjunction with the Moscow Patriarchate—are attempting to take away a building used for religious and administrative purposes. Moscow Patriarchate supporters physically prevented Patriarch Filaret of the Kiev Patriarchate from consecrating a church in the town of Kalynivka, Vinnytsia Oblast.

The March 2002 parliamentary elections led to further inter orthodox friction, notably between the Kiev and Moscow Patriarchates. In general, support for an independent local Orthodox Church (based on the Kiev Patriarchate and Autocephalous Churches) is strongest among Western Ukrainians and center right political parties. Eastern Ukrainians and leftist parties tend to support continued union with the Russian Orthodox Church. During the election campaign, Churches accused the others of instructing their congregants to vote for specific political parties and candidates. The Kiev Patriarchate also claims that local government authorities told Kiev Patriarchate priests that they would have their churches taken away from them unless they told their congregants to vote for specific candidates.

Such friction culminated when the Prosecutor General's Office apparently found an "irregularity" in the Kiev Patriarchate's registration, and petitioned the SCRA to deregister the Kiev Patriarchate immediately prior to the elections. The State Committee on Religious Affairs declined the request. The Moscow Patriarchate long has claimed that the Kiev Patriarchate was registered illegally, and therefore has no right to restitution claims. The Kiev Patriarchate argued that the Prosecutor General—who was running for Parliament on the Communist Party list—was trying to enlist support from the Moscow Patriarchate by deregistering the Kiev Patriarchate.

The election campaign also affected the Muslim community. Muslim community leaders noted that anti-Islamic leaflets were disseminated during the election campaign, hoping to capitalize on anti-Muslim sentiment. Muslim community leaders also noted that during a Muslim celebration at a mosque in Kiev several days prior to Election Day on March 31, 2002, local police checked the documentation of congregants and ultimately detained 29 individuals. According to Muslim community leaders, one Muslim was beaten. The Muslim community protested with the SCRA and the Presidential Administration. According to Muslim community leaders, the policemen involved in the detainment are facing prosecution.

Conflicts continue in Kiev and Sambir, Lviv oblast, as a result of the presence of crosses on Jewish cemeteries. In Kiev one cross remains on the territory of an old Jewish cemetery near the site of a Nazi massacre at Babyn Yar. Jewish leaders assert that the cross was erected without a building permit and ask that it be removed. In Sambir the Ukrainian Jewish community began construction of a memorial park at the site of an old Jewish cemetery and Holocaust massacre site with the assistance of an American benefactor. Ukrainian nationalists, with the apparent assistance of local officials, erected crosses on the site to mark the Christian victims of Nazi terror there. While memorial organizers supported the recognition of all groups who suffered on the Sambir site, they opposed the use of Christian religious symbols on the territory of the Jewish cemetery. At the same time, local Ukrainian nationalists remain opposed to the use of Jewish symbols or Hebrew in the memorial. Jewish and Greek Catholic leaders had attempted to find a just and peaceful solution to the conflict. However, resolution of this issue also was delayed by local elections in March 2002; local government leaders were reluctant to address the conflict during the election campaign.

The Jewish community continued to encounter difficulties, particularly at the local level, in preserving Jewish cemeteries. Impasses over new construction of cemeteries, including one in Sambir and the Krakivsky cemetery in Lviv, continued despite calls from the national Government for resolution. Apartment building construction on a Jewish cemetery in Volodymyr-Volynsky, Volyn oblast, continued despite a court ruling that the building lies within cemetery boundaries and a letter from the Ministry of Culture and Arts asking for a halt in construction until the court case is resolved.

While acts of anti-Semitism are infrequent, the Great Synagogue of Kiev was attacked in April 2002, following a soccer match. Windows were broken and a Yeshiva instructor was struck to the ground. The authorities described the attack as an act of hooliganism; some Jewish community leaders asserted that the perpetrators shouted anti-Semitic slurs and that the attack was organized by anti-Semitic individuals who took advantage of rowdy soccer fans and incited them to attack the synagogue. A synagogue in Khmelnytsky was attacked in late May 2002; synagogue windows were broken by bricks in the attack. In June 2002, a Holocaust memorial in Zhytomyr was vandalized. One Jewish community leader stated that these attacks were not indicative of an overall anti-Semitic societal attitude; he did not see a rise in anti-Semitic acts from prior years.

In Odesa, Member of Parliament and former Mayor Eduard Hurvits was subjected to anti-Semitic slurs during his campaign to win reelection.

While anti-Semitic articles rarely appear in the national press, such articles appear frequently in small publications and newsletters, such as "Idealist," printed in Lviv oblast. With a circulation of 3,000, "Idealist" printed articles supporting legislation to expel the Jewish community from the country. The journal "Personnel," whose executive board includes several Rada deputies, also published anti-Semitic articles. The Jewish community was considering taking legal action against the publication, and received support from public officials in criticizing articles in the journal. Mainstream newspapers and media outlets vociferously criticized the attack on the Kiev synagogue.

#### SECTION IV. U.S. GOVERNMENT ACTION

The U.S. Government discusses religious freedom issues with the Ukrainian Government in the context of its overall dialog and policy of promoting human rights, on a regular basis, pressing U.S. Government concerns actively when the situation is warranted. Since a majority of foreign religious workers are American, the Embassy has intervened as necessary to defend their rights to due process under Ukrainian law. The U.S. Embassy received no reports of religious-worker visa problems during the period covered by this report. The U.S. Embassy raised with the SCRA and the Ministry of Foreign Affairs the cases of representatives of the Evangelical Mission "Rivers of Living Water, International" who had been denied religious worker visas in the past. The SCRA and the Ministry of Foreign Affairs provided assistance and clarification to the Embassy as it assisted the U.S. citizens in ascertaining and asserting their rights.

The U.S. Ambassador, as well as other Embassy officers, demonstrated the U.S. Government's concern for religious freedom by maintaining an ongoing dialog with government and religious leaders on this topic, as well as by their presence at significant events in the country's religious life. U.S. Embassy officers attended significant Holocaust memorials, including the Babyn Yar commemoration in Kiev, a commemoration in Dnipropetrovsk, and the opening of a memorial park in Staryi Sambir, Lviv Oblast.

The U.S. Embassy charged officers with reporting on religious issues, the restitution of church property, interfaith dialog and disputes, anti-Semitism, and human rights. In the course of this reporting, Embassy officers maintained close contact not only with clerics, but also with lay leaders in religious communities and representatives of faith-based social service organizations, such as Caritas and the American Jewish Joint Distribution Committee, both of which are active in the country. In addition, the Embassy facilitated similar meetings with such groups for U.S. Members of Congress and other visiting U.S. officials.

The Embassy closely monitored the Sambir and Volodymyr-Volynskiy cemetery cases, raising them with the State Committee on Religious Affairs. The Embassy also raised the Volodymyr-Volynskiy cemetery case with the Volyn State Administration, the Ministry of Foreign Affairs, the Ministry of Justice, and the Presidential Administration. In addition, the U.S. Embassy has raised these cemetery cases, as well as the restitution situation in general, with government officials in connection to possible graduation from Jackson-Vanik Amendment restrictions. The Public Affairs Section sponsored through its American Specialist program a speaker to promote Holocaust education and awareness.

Representatives of the U.S. Department of State's Office of International Religious Freedom, Office of Holocaust Assets and Ukraine Desk met during the year with various Jewish and Christian leaders from the country.

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## UNITED KINGDOM

The law provides for freedom of religion, and the Government generally respects this right in practice. The Church of England and the Church of Scotland are established churches.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom. Centuries-old sectarian divisions—and instances of violence—persist in Northern Ireland.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 94,525 square miles, and its population in 2000 was approximately 59.8 million. There are no official statistics collected on religious beliefs or church membership, except in Northern Ireland. The census conducted in April 2001 contained a voluntary question on religion; the results are expected to be available in the spring of 2003. Although their methodologies differ greatly, the numbers collected by individual religious communities highlight patterns of adherence and belief.

The Office for National Statistics 2002 yearbook estimates that 40 million persons (approximately 65 percent of the population) identify themselves as Christians. Approximately 45 percent of the population identify with Anglican churches, 10 percent with the Roman Catholic Church, 4 percent with Presbyterian churches, 2 percent with Methodist churches, and 4 percent with other Christian churches. Approximately 8.7 percent of the population attends a Christian church on a regular basis. Church attendance in Northern Ireland is estimated at 30 to 35 percent. An additional 2 percent of the population is affiliated with the Jehovah's Witnesses, the Church of Jesus Christ of Latter-Day Saints (Mormons), the Church of Christ, Christian Scientists, and Unitarians. A further 5 percent are adherents of other faiths, including Hinduism, Islam, Judaism, and Sikhism. Muslim, Sikh, and Hindu communities tend to be concentrated around larger cities. Approximately 30 percent of the population do not identify with a religion.

The conflict between nationalists and unionists in Northern Ireland has been drawn along religious lines; however, the policy of the Government remains one of religious neutrality and tolerance (see Section III).

The fear of inter communal violence has, over the years, led to a pattern of segregated communities in Northern Ireland. As a result, Protestant and Catholic families have moved away from mixed or border neighborhoods.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The law provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. The law provides for the freedom to change one's religion or belief. The 2001 Anti-Terrorism, Crime, and Security Act (which became law in December 2001) covers "religiously aggravated offenses," based on existing assault, harassment, criminal damage, and public order offenses. Those convicted of "religiously aggravated offenses" face higher maximum penalties where there is evidence of religious hostility in connection with a crime.

There are two established (or state) churches, the Church of England (Anglican) and the Church of Scotland (Presbyterian). The monarch is the "Supreme Governor" of the Church of England and always must be a member of the Church and promise to uphold it. The monarch appoints Church of England officials on the advice of the Prime Minister and the Crown Appointments Commission, which includes lay and clergy representatives. The Church of Scotland appoints its own office bearers, and its affairs are not subject to any civil authority. The Church in Wales, the Scottish Episcopal Church, and the Church of Ireland are members of the Anglican Communion. There are no established churches in Wales or Northern Ireland. At the end of 2001, the Home Office still was considering a January 2000 university report on religious discrimination that claimed that the establishment status of the Church of England causes "religious disadvantage" to other religious communities. Those who believe that their freedom of religion has been infringed have the right to appeal to the courts for relief.

Religious groups are not required to register with the Government. No church or religious organization—established or otherwise—receives direct funding from the State. Religious bodies are expected to finance their own activities through endowment, investments, and fund-raising. The Government funds the repair of historic church buildings, such as cathedrals, but such funding is not restricted to Church of England buildings. A Government grants program helps to fund repair and maintenance of listed places of worship of all religions nationwide. The Government also contributes to the budget of the Church Conservation Trust, which preserves "redundant" Church of England buildings of architectural or historic significance. Several similar groups in England, Scotland, and Wales repair non-Anglican houses of worship.

Most religious institutions are classified as charities and, as such, enjoy a wide range of tax benefits. (The advancement of religion is considered to be a charitable purpose.) In England and Wales, the Charity Commission reviews the application of each body applying for registration as a charity. Commissioners base their decisions on a substantial body of case law. In Scotland and Northern Ireland, the Inland Revenue performs this task.

Charities are exempt from taxes on most types of income and capital gains, provided that the charity uses the income or gains for charitable purposes. They also are exempt from the value-added tax.

While a majority of state-supported religious schools are Anglican or Catholic, there are a small number of Methodist, Muslim, and Jewish schools.

All schools in Northern Ireland receive state support. In Northern Ireland, approximately 95 percent of students attend schools that are either predominately Catholic or Protestant. Integrated schools serve approximately 5 percent of school-age children whose families voluntarily choose this option; however, there are not enough spaces available for those seeking integrated education.

The law requires religious education in publicly maintained schools throughout the country. According to the Education Reform Act of 1988, it forms part of the core curriculum for students in England and Wales (the requirements for Scotland were outlined in the Education Act of 1980.) The shape and content of religious instruction is decided on a local basis. Locally agreed syllabi are required to reflect the predominant place of Christianity in religious life, but they must be non-denominational and refrain from attempting to convert pupils. All parents have the right to withdraw a child from religious education, but the schools must approve this request.

In addition, schools have to provide a daily act of collective worship. In practice this action mainly is Christian in character, reflecting Christianity's importance in the religious life of the country. This requirement may be waived if a school's administration deems it inappropriate for some or all of the students. Under some circumstances, non-Christian worship may instead be allowed. Teachers' organizations have criticized school prayer and called for a government review of the practice.

Where a substantial population of religious minorities characterizes a student body, schools may observe the religious festivals of other faiths. Schools also endeavor to accommodate religious requirements, such as providing halal meat for Muslim children.

The Human Rights Act prohibits discrimination on the basis of religion by public authorities. In Northern Ireland, the Fair Employment Act specifically banned employment discrimination on the grounds of religious or political opinion; however, unemployment rates are higher for Catholics than for Protestants (see Section III). All public sector employers and all private firms with more than 10 employees must report annually to the Equality Commission on the religious composition of their workforces and must review their employment practices every 3 years. Noncompliance may result in criminal penalties and the loss of government contracts. Victims of employment discrimination may sue for damages. In December 2001, the Government published a consultation paper, "Towards Equality and Diversity," proposing national implementation of a European Commission Directive against employment discrimination on the basis of religion.

The Government makes an active effort to ensure that public servants are not discriminated against on the basis of religion and strives to accommodate religious practices by government employees whenever possible. For example, the Prison Service permits Muslim employees to take time off during their shifts to pray. It also provides prisoners with Christian, Jewish, and Muslim chaplains. The Advisory Group on Religion in Prisons monitors policy and practice on issues relating to religious provision. The military generally provides soldiers who are adherents of minority religions with chaplains of their faith.

In addition, the 1998 Northern Ireland Act stipulates that all public authorities must show due regard to the need to promote equality of opportunity, including on the basis of religious belief. Each public authority must report its plans to promote equality to the Equality Commission, which is to review such plans every 5 years.

In January 2002, the Prime Minister hosted a meeting of religious leaders as part of the Government's effort to promote interfaith dialog.

#### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion.

Due to the limited broadcast spectrum, the 1990 Broadcasting Act precludes certain groups, including those "wholly or mainly of a religious nature," from obtaining the few available national licenses. Religious groups are not restricted from owning a range of local and regional broadcast licenses—including licenses for local digital radio, local and regional analog radio, cable and satellite channels—whose frequencies are more numerous and, therefore, not subject to provisions regarding broad audience appeal.

The Government does not recognize Scientology as a religion for the purposes of charity law. Scientology ministers are not considered ministers of religion for the purpose of immigration relations. Scientologist chapels do not qualify as places of worship under the law. The Prison Service does not consider Scientology as a religion and does not recognize it for the purpose of facilitating prison visits by ministers. However, Scientology prisoners are free to register their adherence to Scientology; this is recorded on their records.

Other than the House of Lords, membership in a given religious group does not confer a political or economic advantage on individual adherents. The Anglican Archbishops of York and Canterbury; the Bishops of Durham, London, and Winchester; and 21 other bishops, in order of seniority, receive automatic membership in the House of Lords, whereas prominent clergy from other denominations or religions are not afforded this privilege. The Removal of Clergy Disqualification Act 2001 removed restrictions that prohibited all clergy ordained by an Anglican bishop, as well as ministers of the Church of Scotland, from seeking or holding membership in the House of Commons.

While not enforced and essentially a legal anachronism, blasphemy against Anglican doctrine remains technically illegal. Several religious organizations, in association with the Commission for Racial Equality, are attempting to abolish the law or broaden its protection to include all faiths.

A February 2001 report commissioned by the Home Office found that some religious groups, particularly those identified with ethnic minorities, reported unfair treatment on the basis of their religious belief. Muslims, Sikhs, Hindus, and black-led Christian churches were more likely to report problems ranging from lack of recognition or inclusion of religious beliefs in education to discrimination or lack of accommodation of religious beliefs by employers.

The Police Service of Northern Ireland (formerly the Royal Ulster Constabulary (RUC), Northern Ireland's police force, is not required to conform to Section 75, and Catholics now comprise less than 8 percent of the police force. However, the Police (Northern Ireland) Act of 2000, which incorporates many of the recommendations of the 1999 Patten Commission report, mandates measures designed to expand Catholic representation in the new Police Service of Northern Ireland. These include the establishment of an independent recruitment agency and a recruitment policy mandating equal intake of qualified Catholics and non-Catholics. The Patten Commission projected that, following implementation of these reforms, Catholics, who comprise approximately 40 percent of the population, would make up 30 percent of the police force within 10 years. Legislation commits the Police Service of Northern Ireland to hiring quotas to ensure that half of all new recruits are Catholic to redress a long-standing imbalance in the composition of the police.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Political, economic, and social factors contributed to problems between nationalists and unionists in Northern Ireland, where centuries-old sectarian divisions persist between the Protestant and Catholic communities.

In 1998 the majority of citizens in Northern Ireland voted to support the Good Friday Agreement, which aims to create a lasting settlement to the conflict in Northern Ireland and a society based on equality of opportunity and human rights.

The police in Northern Ireland reported approximately 30 attacks against both Catholic and Protestant churches, schools, and meeting halls in 2001. Such sectarian violence often coincides with heightened tensions during the spring and summer marching season. Some parades by the "Loyal Institutions" (the Royal Black Preceptory, Orange Order, and Apprentice Boys), whose membership almost exclusively is Protestant, have been prevented from passing through nationalist areas due to public-order concerns. In the fall of 2001, residents of the loyalist Glynbryn area of north Belfast protested, at times violently, against Catholic pupils of Holy Cross primary school on their walk to school each day. Although the residents claimed that their demonstration "was not against the children," the protest involved shouting sectarian abuse and throwing debris (including bags of urine) at the children. A blast bomb also was thrown at police seeking to protect the children.

According to the Board of Deputies of British Jews, there were 310 reported anti-Semitic incidents during 2001, compared with 405 in 2000 (adjusted figure). According to the Community Security Trust, between January and June 2002, there were 173 anti-Semitic incidents reported, including at least 28 assaults. Public manifestations of anti-Semitism largely are confined to the political fringes. According to the Board of Deputies, in 2001 distribution of anti-Semitic literature declined, while the number of physical attacks on Jewish persons and property increased. At the end of April 2002, suspected neo-Nazis desecrated a synagogue in the Finsbury Park area of north London, leaving windows smashed, religious artifacts defaced, and crude swastikas painted everywhere. Members of Parliament, including a senior cabinet minister, promptly visited the synagogue and severely criticized the attack in the strongest terms; two senior Labour and Conservative politicians united "to condemn those who daubed swastikas and smashed windows in a north London synagogue."

In the fall of 2001, there were isolated attacks against Muslims. Targets included persons wearing traditional Islamic dress, and buildings such as mosques and Muslim-owned businesses. The Government quickly condemned the violence and responded by including "religiously aggravated offenses" as part of the Anti-Terrorism, Crime, and Security Act 2001.

Employment discrimination on religious grounds is prohibited by law in Northern Ireland (see Section II). As a result of the stability generated by the peace process, unemployment in Northern Ireland dropped to less than 4.8 percent in March 2002—the lowest level in 30 years. However, the Catholic unemployment rate remains almost double the rate for Protestants.

The country has both active interfaith and ecumenical movements. The Council of Christians and Jews works to advance better relations between the two religions and to combat anti-Semitism. The Interfaith Network links a wide range of religious

and educational organizations with an interest in interfaith relations, including the national representative bodies of the Baha'i, Buddhist, Christian, Hindu, Jain, Jewish, Muslim, Sikh, and Zoroastrian communities. The Inner Cities Religious Council encourages interfaith activity through regional conferences and support for local initiatives. In April 2002, the Prince of Wales launched a new nongovernmental organization, "Respect," to encourage voluntary time-sharing and mutual understanding among adherents of different religions.

The main ecumenical body is the Council of Churches for Britain and Ireland, which serves as the main forum for inter church cooperation and collaboration. Inter church cooperation is not limited to dealings among denominations at the national level. For example, at the local level Anglican parishes may share their church with Roman Catholic congregations.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

The U.S. Embassy encouraged interfaith dialog to promote religious tolerance. In the fall of 2001, the Embassy held meetings with the Muslim Council of Britain, leaders from the Sikh community, and representatives from "Rabbis for Human Rights." In January 2002, the Embassy hosted a speaker from the Islamic Awareness Project. In February 2002, the Ambassador met with representatives from the "Three Faiths Forum."

In Northern Ireland, longstanding issues related to religion have been part of the political and economic struggle largely between Protestant and Catholic communities. As an active supporter of the peace process, the U.S. Government has encouraged efforts to diminish sectarian tension and promote dialog between the two largest religious communities.

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## UZBEKISTAN

The Constitution provides for freedom of religion and for the principle of separation of church and state; however, in practice the Government restricted this right. The Government permits the existence of mainstream religions, including approved Muslim groups, Jewish groups, the Russian Orthodox Church, and various other denominations, such as Catholics, Lutherans, and Baptists, and generally registers more recently arrived religions. Christian churches generally are tolerated as long as they do not attempt to win converts among ethnic Uzbeks. However, the law prohibits or severely restricts activities such as proselytizing, importing and disseminating religious literature, and offering religious instruction.

There was no overall change in the status of respect for religious freedom during the period covered by this report. The Government continued its harsh campaign against unauthorized Islamic groups it suspected of anti-State sentiments or activities. The Government arrested numerous alleged members of these groups, and sentenced them to lengthy jail terms. However, the number arrested declined sharply from 1,500 persons in any 7-month period from 1999 to 2001, to 300 persons in the first 7 months of 2002. The Government granted amnesty to 800 such individuals. At least 20 women were tried for participating in or organizing demonstrations demanding the release of male relatives jailed on suspicion of Islamic extremism. A number of minority religious groups, including congregations of a variety of Christian confessions, the Baha'i Faith, and Hare Krishna, had difficulty satisfying the strict registration requirements set out by the law. Following the fall of the Soviet Union, the Government permitted the opening of thousands of mosques, more than the Soviet era total of 80 mosques. The Government permitted Muslims from outside the country to build many of these mosques and to establish unauthorized Islamic groupings. However, after this initial phase, the Government decided to ban such groupings, perceiving them as extremist threats, and closed all but approximately 2,000 of the new mosques. Vigilante groups enforcing strict Islamic mores such as full cover dress for women, were outlawed. Some underground mosques, such as those that were tolerated during the Soviet Union, have begun to operate again, but religious authorities and the security services monitor them closely.

There are amicable relations among the various religious communities. However, Hizb ut-Tahrir, an extremist Islamic political organization, continued to circulate strongly anti-Semitic leaflets.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Em-

bassy is engaged actively in monitoring religious freedom and maintains contact with both government and religious leaders.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 117,868 square miles and its population is approximately 24,756,000. There are no official statistics on membership in various faiths; however, approximately 88 percent of the population nominally are Muslim. Since 1991 when the country gained independence from the Soviet Union, there has been a resurgence, particularly in the Fergana valley, of the Sunni variety of Islam traditional in the region. Approximately 10 percent of the population nominally are Russian Orthodox. A growing number of individuals from these two faiths practice their religion, and outside of Tashkent believers may outnumber non-believers. During the decades of Soviet rule, religion was not practiced openly by most persons; however, it remained an important cultural factor in the lives of many, particularly Muslims.

There are roughly 30,000 Ashkenazy and Bukharan Jews remaining in the country, concentrated in the main cities of Tashkent, Bukhara, and Samarkand. Almost 70,000 have emigrated to Israel or the United States since independence. The remaining 5 to 10 percent of the population include small communities of Korean Christians, Baptists, Roman Catholics, Lutherans, Seventh-Day Adventists, Evangelical and Pentecostal Christians, Buddhists, Baha'is, and Hare Krishnas.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion and for the principle of separation of church and state; however, in practice the Government restricted these rights. The Government is secular and there is no official state religion.

Although the laws treat all religious confessions equally, the Government shows its support for the country's Muslim heritage by funding an Islamic university and subsidizing citizens' participation in the Hajj. The Government promotes a moderate version of Islam through the control and financing of the Spiritual Directorate for Muslims (the Muftiate), which in turn controls the Islamic hierarchy, the content of imams' sermons, and the volume and substance of published Islamic materials.

The Religion Law requires all religious groups and congregations to register and provides strict and burdensome criteria for their registration. Among its requirements, the law stipulates that each group must present a list of at least 100 Uzbek citizen members to the local branches of the Ministry of Justice. This provision enables the Government to ban any group simply by finding technical grounds for denying its registration petition. Government officials designed the law to target Muslims who worship outside the system of state-organized mosques. A special commission may grant exemptions to the Religion Laws' strict requirements and register groups that have not been registered by local officials. The commission has granted exemptions to 51 such groups, including congregations with fewer than 100 Uzbek citizen members. However, no formal procedures or criteria have been established to bring a case before this commission, which did not meet during the period covered by this report.

To register, groups also must report in their charter a valid legal address. Local officials on occasion have denied approval of a legal address in order to prevent Christian churches from registering. The Ministry of Justice in Tashkent also has cited this requirement in explaining local officials' decisions. Although church leaders cite high registration fees and the 100-member rule as obstacles, the most frequent problem is the lack of an approved legal address. Some groups have been reluctant to invest in the purchase of a property without assurance that the registration would be approved. Others claim that local officials arbitrarily withhold approval of the addresses because they oppose the existence of Christian churches with ethnic Uzbek members.

Some churches, particularly evangelical churches with ethnic Uzbek members, do not bother to apply for registration because they do not believe local officials will register them. Other groups, including those with too few members, have reported that they prefer not to bring themselves to the attention of the authorities by submitting a registration application that on its face does not meet legal requirements. There also are a few groups, which refuse on principle to seek registration, because they challenge the Government's right to require registration. The central Government's Committee on Religious Affairs (CRA) intervened in at least one case where a church met all registration requirements but had been denied registration by local officials. As a result, the church was allowed to register in the fall of 2001.

As of May 1, 2002, the Government had registered 2,047 religious congregations and organizations, 1,863 of which were Muslim. The 182 registered minority religious groups include 59 Korean Christian, 33 Russian Orthodox, 23 Pentecostal ("full gospel"), 23 Baptist, 11 Seventh-Day Adventist, 8 Jewish (6 Bukharan, 1 Ashkenazy, 1 mixed), 7 Baha'i, 4 Lutheran, 4 "New Apostolic," 4 Roman Catholic, 2 Jehovah's Witnesses, 2 Krishna Consciousness groups, 1 Bible Society, and 1 Armenian Apostolic. According to 2000 statistics, 335 applications were denied, 323 of which were from Muslim groups. The number of mosques has increased significantly from the 80 or so permitted during the Soviet era, but has decreased from the 4,000 or more that opened after the country gained independence and before registration procedures were in place.

#### *Restrictions on Religious Freedom*

There were significant governmental restrictions on religious freedom during the period covered by this report. The Government, by continuing to deny registration to some religious organizations, deprived them of their legal right to worship. The Government restricted many religious practices and activities and punished some citizens for carrying out their religious practices and activities in violation of the registration laws. Ethnic Russians, Jews, and foreigners generally enjoy greater religious freedom than traditionally Muslim ethnic groups, especially ethnic Uzbeks. Christian churches generally are tolerated as long as they do not attempt to win converts among ethnic Uzbeks. Christians who are ethnic Uzbeks are secretive about their faith and rarely attempt to register their organizations. Christian congregations that are of mixed ethnic background often face difficulties in registering, or are reluctant to list their Uzbek members on registration lists for fear of incurring official displeasure.

The Law on Freedom of Conscience and Religious Organizations provides for freedom of worship, freedom from religious persecution, separation of church and state, and the right to establish schools and train clergy; however, the law also severely limits religious activity. It restricts religious rights that are judged to be in conflict with national security, prohibits proselytizing, bans religious subjects in public schools, prohibits private teaching of religious principles, forbids the wearing of religious clothing in public by anyone other than clerics, and requires religious groups to obtain a license to publish or distribute materials. However, the authorities enforce this law disparately in practice.

The Criminal and Civil codes contain stiff penalties for violating the Religion Law and other statutes on religious activities. Prohibited activities include organizing an illegal religious group, persuading others to join such a group, and drawing minors into a religious organization without the permission of their parents. Any religious service conducted by an unregistered religious organization is illegal. The Law prohibits groups that do not have a registered religious center from training religious personnel. There are seven such registered religious groups. In practice these restrictions override almost all freedoms recognized by international standards.

The Government, for national security reasons, has conducted an intensely repressive campaign against perceived Islamic extremists. The result is an atmosphere of intimidation, in which many young Muslim men say they do not feel safe even observing basic religious duties such as praying five times each day. The ban on proselytizing results in fines and the denial of registration to many Christian churches, and in some cases, beatings of many of their members. The control over publication and distribution of religious literature has been used to prevent distribution of Bibles in the Uzbek language, something the Government fears is a barely disguised effort to convert the Uzbek-speaking Muslim majority.

The Criminal Code distinguishes between "illegal" groups, which are those that are not registered properly, and "prohibited" groups, which are banned altogether. The code makes it a criminal offense punishable by up to 5 years in prison to organize an illegal religious group or to resume the activities of such a group (presumably after being denied registration or ordered to disband). In addition, the code punishes any participation in such a group by up to 3 years in prison. The code also provides for penalties of up to 20 years in prison and confiscation of property for "organizing or participating" in the activities of religious extremist, fundamentalist, separatist, or other prohibited groups. In practice the courts ignore the theoretical distinction between illegal and prohibited groups and frequently convict members of disapproved Muslim groups under both statutes.

Some churches continue to face obstacles in obtaining registration from the Government. Local authorities have continued to block the registration of Baptist congregations in Gazalkent, Andijon, and Novaya Zhizn. The Deputy Mayor of Gazalkent allegedly told church leaders that their application might be approved if they removed from the church's membership list all names of ethnic Uzbek origin.

At the end of the period covered by this report, they still were experiencing problems. In 2001 the CRA successfully intervened on behalf of the Nukus Full Gospel Church, which resulted in its registration. In 2000 the Baptist congregation in Guliston was denied registration, ostensibly on the grounds that its proposed church was in a residential area. Church officials had claimed that local officials blocked their registration because ethnic Uzbeks were listed on their membership lists. The congregation was registered during the period covered by this report.

Although two congregations of Jehovah's Witnesses are registered, nine others that attempted to register between 2000 and 2001 were unsuccessful. Provincial authorities have referred to them as "extremists." Church officials believe that their particularly active style of proselytizing among ethnic Uzbeks (while the pastors of these groups are not ethnic Uzbeks) is at the root of the bureaucratic obstructionism that they encounter. Church officials also reported that members were detained and beaten on several occasions. In March 2002, police arrested members of three congregations of Jehovah's Witnesses and charged them with participating in an unregistered religious organization. Several received fines, and a few congregants in Nukus reported they were beaten. All later were released. At the end of the period covered by this report, the authorities in Bukhara still were debating whether to file criminal charges against the leader of Jehovah's Witnesses in that province. Any religious service conducted by an unregistered religious organization is illegal. In May 2002, officials of the CRA summoned leaders of the Jehovah's Witnesses and explained to them the requirements of the religion laws and offered to work with them to meet those requirements.

The CRA continues to refuse the Greater Grace Christian Church of Samarkand permission to have a Finnish, rather than Uzbek citizen, pastor. The Church's application for registration therefore is blocked until this issue is resolved. Church leaders expressed some optimism in the spring of 2002 that the issue might soon be resolved.

In March 2001, the CRA stated that the Government planned to instruct Christian congregations with foreign pastors to replace their pastors with Uzbek citizens. The CRA maintained that graduates of a registered Korean Christian seminary in the country could replace the foreign pastors. In May 2002, the CRA announced to a group of evangelical pastors that they no longer would be allowed to preach in the Uzbek language—the official national language and the one identified most closely with the majority Muslim population. However, by the end of the period covered by this report, official instructions were not issued in either case, and the measures had not been enforced.

The Gazalkent Baptist Church in Gazalkent continued to face difficulties in its attempts to obtain registration. According to the church's leader, Alikhan Kiev, officers of the NSS accused him in August 2001 of fabricating the congregation's membership list. The law requires 100 Uzbek citizen members for the registration of a religious organization. NSS officer Abdujalil Ishmatov accused Kiev of having "fabricated around 90 percent of the signatures." Ishmatov indicated that the NSS had interviewed individuals whose signatures were on the membership list. He said that most of these individuals, had not realized "they were signing up as members of a founding church group."

While supportive of moderate Muslims, the Government is intolerant of Islamic groups operating outside the state-run Muslim hierarchy that it perceives to be extremist; however, a small number of unofficial, independent mosques are allowed to operate quietly under the watch of official imams. The Government controls the content of imams' sermons and the volume and substance of published Islamic materials. Since 1998 the Government has prohibited loudspeakers in mosque minarets, in order to prevent amplified public calls to prayer. This order was implemented following a series of bombings in 1999, which the Government attributed to Islamic extremists. The order generally is enforced; however, in some neighborhoods on Fridays, the call to prayer is issued by loudspeaker.

The authorities often suspect Muslims who meet privately to pray or study Islam of being extremists, and such believers are at risk of arrest.

The Government is determined to prevent the spread of Hizb ut-Tahrir, as well as other extremist Islamic groups, which it places under the broad label of "Wahhabism." In spring of 2002, President Islam Karimov reaffirmed on national television his intention to eradicate Hizb ut-Tahrir. Hizb ut-Tahrir members desire an Islamic government, and the group's literature includes much anti-Western, anti-Semitic, and anti-democratic rhetoric. Some independent Muslims deny that they are extremists and claim that they are being labeled wrongly.

The Koran and prayer are banned in certain prisons, particularly those with prisoners believed to be Islamic extremists.

Religious groups are prohibited from forming political parties and social movements.

The Government requires that the religious censor approve all religious literature; however, in practice a number of government entities concerned with religion have a chance to veto that with which they are not satisfied. The CRA, in accordance with the law, has given the right to publish, import, and distribute religious literature solely to registered central offices of religious organizations. Seven such offices have been registered to date: A nondenominational Bible society, two Islamic centers, and Russian Orthodox, Full Gospel, Baptist, and Roman Catholic offices. However, the Government discourages and occasionally has blocked registered central offices from producing or importing Christian literature in the Uzbek language even though Bibles in many other languages are available in Tashkent bookstores.

The Muftiate sporadically issues an updated list of all officially sanctioned Islamic literature. Bookstores are not allowed to sell any Islamic literature not on the list. The list contains more than 200 titles; however, in practice Islamic bookstores in Tashkent sell a large number of titles not included on the list, including those in the Arabic language. More controversial literature, when available, is not displayed on shelves. Possession of literature by authors deemed to be extremist may lead to arrest and prosecution. Hizb ut-Tahrir leaflets absolutely are prohibited.

Unlike in the past, there were no reports of the confiscation of foreign Islamic literature or Uzbek-language Christian literature during the period covered by this report.

Although the authorities tolerate the existence of many Christian evangelical groups, they enforce the law's ban on proselytizing. The Government often monitors and harasses those who openly try to convert Muslims to Christianity. Members of Jehovah's Witnesses claim that they are subjected routinely to police questioning, searches, and arbitrary fines. Several churches, including the Baptist church in Gazalkent, have reported that local officials did not accept membership lists that included ethnic Uzbek names.

The Government bans the teaching of religious subjects in schools and also prohibits the private teaching of religious principles. In July 2000, police closed a summer youth camp sponsored by the registered Korean Christian church "Mir" in Nukus, Karakalpakstan. In August 2000, Karakalpak authorities revoked the church's registration and ordered Pastor Vladimir Kim to close it on the grounds that the camp had taught religion to minors without parental consent, a violation of the religion law. Kim maintained that all of the minor's parents had signed consent forms. Although the church was allowed to reopen in January 2001, it had not been reregistered by the end of the period covered by this report.

In May 2001 the Ministry of Justice informed the Baptist Union in writing that the holding of Sunday School classes for the children of congregation members was a violation of the Law on Freedom of Conscience and Religious Organizations. The letter threatened revocation of the Baptist Union's registration if it did not immediately cancel Sunday School. The legal problem has not been resolved, but a series of communications between the Baptist Union and the Ministry has resulted in what is at least a temporary, and mutually acceptable, compromise.

Also in May 2001 the Roman Catholic parish in Fergana received an order from the regional Prosecutor General to close its Sunday school on the grounds that the school was an institution of higher learning and had not been registered properly. However, later in the month, the CRA found that the Catholic Sunday school was not a formal institution, had been closed improperly, and should be allowed to reopen. Sunday school classes resumed at the school.

Unlike in the past, there were no cases of women being expelled from either university or secondary school for wearing religious dress during the period covered by this report. In 1999 Human Rights Watch compiled a list of 28 confirmed cases from 1997 and 1998 in which university and secondary school students were expelled for wearing the hijab, the headscarf associated with Muslim female modesty. Several women who were expelled in the past continued an unsuccessful campaign to be reinstated.

For the most part, women who wish to enter university abandon the headscarf. At one prominent Tashkent University, a professor noted that to his knowledge only one female student wore the hijab.

The law forbids anyone except clerics from wearing religious clothing in public. Nonetheless, women are seen wearing the hijab and less frequently, the veil on the street. Older men wearing prayer robes is not an uncommon sight.

Most young men do not wear beards, which the Government regards as a sign of extremism. Many young men attend Friday prayers; however, hardly any are bearded.

There were some reports of human rights abuses against members of minority religions during the period covered by this report. Police occasionally broke up meetings of unregistered groups. Leaders of such groups have been assessed fines or charged with administrative violations and in some cases, briefly detained by the authorities. Registration applications have been hampered.

Nikolai Shevchenko, pastor of the Bethany Baptist Church in Tashkent, faces administrative fines for leading an unregistered congregation. In July 2001, Shevchenko was charged with a related criminal offense, but those charges were dropped. Bethany Baptist Church is located in the Mirzo-Ulugbek district of Tashkent. The authorities rejected Bethany's application for registration after the mahalla (neighborhood) committee called the presence of a Christian church in their neighborhood intolerable.

#### *Abuses of Religious Freedom*

The Government continued to commit numerous serious abuses of religious freedom. The Government's campaign against extremist Muslim groups, begun in the early 1990's, resulted in numerous serious human rights abuses during the period covered by this report. The campaign was directed at three types of Muslims: alleged Wahhabists, including those educated at madrassas (schools) abroad and followers of Imam Nazarov of Tashkent and missing Imam Mirzaev of Andijon; those suspected of being involved in the 1999 Tashkent bombings or of being involved with the Islamic Movement of Uzbekistan (IMU), whose roots are in Namangan; and suspected members of Hizb ut-Tahrir throughout the country. The campaign resulted in the arrest of many observant Muslims who were not extremists. The campaign also resulted in thousands of allegations of torture, many of which have been confirmed.

In the late 1980's, the Government of the USSR began to loosen its control of the practice of Islam. In the early 1990's, the newly independent Government of Uzbekistan built hundreds of new mosques and allowed the construction of thousands more, many funded from abroad. However, towards the end of 1991, the Government launched a campaign of severe repression, in an attempt to stem the growth of what it considered a dangerous threat to stability. This followed the appearance of vigilante groups enforcing conservative Islamic social mores (for example, full cover dress for women) in the Fergana Valley. The Hizb ut-Tahrir and Wahhabist organizations first appeared in the country during the late 1980's and early 1990's proliferation of Islam. The IMU was formed in part by members of Adolat (Justice), a conservative Islamic political party that later was banned by the Government. While the Government views members of the IMU as terrorists, it views members of Hizb ut-Tahrir and Wahhabists as potential terrorists and as an ideological breeding ground for terrorists.

The Government does not consider repression of these groups to be a matter of religious freedom, but instead to be directed against those who want to foment armed resistance to the Government. However, the authorities are highly suspicious of those who are more observant than is the norm, including frequent mosque attendees, bearded men, and veiled women. In practice this approach results in abuses against observant Muslims for their religious beliefs. It also serves to radicalize some young men and women who otherwise might practice their religion in a politically neutral manner.

There were credible reports that police mistreatment resulted in several deaths in custody. Law enforcement officials regularly beat and torture suspects held in pretrial detention—including those accused of religious extremism—in order to extract confessions. Severe mistreatment of convicted prisoners also is common. Although there is specific information available on only a few deaths from mistreatment in custody, human rights and other observers credibly report that a large number of prisoners throughout the country during the period covered by this report died of diseases directly related to the conditions of their confinement. Law enforcement officials have been known to threaten families not to talk about their relatives' deaths. Human rights monitors reported a decrease in the number of abuses in certain prisons following a January 2002 conviction of four police officers in the beating death of an alleged extremist. Allegations of serious abuses in other prisons continue to be reported.

The Government has not conducted an investigation into the December 2000 death in prison of Habeebullah Nosirov, a member of Hizb ut-Tahrir who was convicted in 1999. According to his family, he died of injuries sustained from severe beatings by police while he was in prison. He was the brother of the imprisoned leader ("Amir") of Hizb ut-Tahrir Uzbekistan, Hafeezullah Nosirov.

There was no investigation into the October 2000 death of Numon Saidaminov, Hafeezullah Nosirov's reported successor as Amir of Hizb ut-Tahrir. His body was

returned to his family from detention by the National Security Service (NSS) and showed signs of torture.

In January 2002, a court sentenced four policemen to 20 years imprisonment each for their role in the beating death of Ravshon Haitov. In October 2001, Ravshon and Rasul Haitov were arrested in Tashkent on suspicion of belonging to Hizb ut-Tahrir. The next morning, Ravshon's body was returned to his family, who reported that it showed signs of severe torture. Rasul Haitov also was tortured and spent several months in the hospital. There have been allegations that three senior police officers also involved in the beatings escaped prosecution. The Government's investigation into Rasul Haitov's alleged Hizb ut-Tahrir activities still was open at the end of the period covered by this report.

During the period covered by this report, there were no reports of disappearances of religious leaders. There were no developments in the 1995 disappearance of Imam Abduvali Mirzaev; the 1997 disappearance of his assistant, Nematjon Parpiev; or the 1992 disappearance of Aboullah Utaev, leader of the Uzbekistan chapter of the outlawed Islamic Renaissance Party (IRP). The fate of the three men is unknown, but most observers believe that the authorities abducted them.

Bakhodir Khasanov, an instructor of French at the Alliance Francaise who was arrested in July 2000, still is missing. Unconfirmed reports indicate that he may have been sentenced since then. The authorities have not acknowledged that he is being held. Security services reportedly were interested in Khasanov because many members of the Khasanov family were jailed for alleged extremist Islamic activity, although acquaintances claimed that Khasanov was not especially religious. His brother Ismail was convicted in 1999 for alleged links to Islamic extremists and was retried on additional charges of involvement in an IMU incursion near Yangiabad, although these events took place while he was in prison. In 1999 police arrested Khasanov's 70-year-old father after planting Hizb ut-Tahrir leaflets on him. He signed a confession after police forced him to watch them beating his son Ismail. He was sentenced to 3 years' imprisonment.

The absence of a free press and publicly available centralized records makes it difficult to determine how many persons have been incarcerated. Nonetheless, the Moscow human rights center, Memorial, has compiled a list of more than 2,600 individuals arrested and convicted for political and religious reasons between January 1999 and August 2001. Nearly all those listed were accused of being Islamic extremists. Most human rights groups agree that the number of individuals convicted and still in prison, who were arrested for political or religious reasons is between 6,500 and 7,000. The Independent Human Rights Organization of Uzbekistan (IHROU) estimates that all but approximately 200 of those arrested were arrested on suspicion of Islamic extremism. The number of those in pretrial detention is unknown but is estimated to be less than 300.

Unlike in the past, there were no reports that security services arrested, detained, or harassed Muslim leaders perceived to be extremists during the period covered by this report.

Since August 2001, the number of individuals arrested on suspicion of Islamic extremism has decreased throughout the country. Activists in Fergana region reported that, in the first 4 months of 2002, only eight such arrests were made. In Andijon region, the reported figure was five. In Tashkent, the figure was similar, although 24 women were arrested, and 8 charged, for demonstrating on behalf of jailed relatives. Local human rights activists credibly estimate that throughout the country, approximately 300 such individuals were arrested during the first 6 months of 2002.

In December 2001, attorney Irina Mikulina met with Imam Abdolvakhid Yuldashev, a former associate of Imam Nazarov, 8 months after his April 2001 conviction for organizing an independent Islamic group, and reported that he continues to be tortured. According to Mikulina, the skin on his feet had been stripped clean from beatings. Observers claim that such continued beatings are meant as a deterrent to others. In court Yuldashev described how investigators had beaten him and burned his genitals in order to extract confessions during detention. The judge declined to investigate these charges.

The Koran reportedly is banned in many detention facilities, and there are numerous reports that Muslims in places of detention are punished severely if they are caught praying, especially in prisons where suspected Islamic extremists are incarcerated.

Arbitrary arrest and detention of Muslim believers on charges that they belong to Hizb ut-Tahrir or Wahhabist organizations remained a problem. Various estimates from credible sources suggest that as many as 5,000 of the estimated 6,500 political prisoners currently being held in the country are members of Hizb ut-Tahrir. Nonetheless, there were numerous cases of incarceration of individuals who were gathering for prayer in an unauthorized manner. For example, in August 2001,

a Jizzakh court convicted six young men (ages 20 to 30) and their 83-year-old host for holding prayers in the older man's home. The police allegedly planted drugs and Hizb ut-Tahrir leaflets. The six young men remained in prison at year's end, although their host was released after paying a fine. Even in cases where individuals are members of Hizb ut-Tahrir or other extremist organizations, the authorities sometimes failed to produce credible evidence that the individuals committed acts for which they allegedly were arrested.

Following both the 1997 murder of police officials in Namangan and the 1999 terrorist bombings in Tashkent, police detained hundreds and perhaps thousands of suspected Wahhabists. The majority of those detained were released after questioning and detention that lasted as long as 2 months. The police routinely planted narcotics, ammunition, and, beginning in 1999, religious leaflets, on citizens to justify their arrests. According to human rights activists, the police arrested many of those whose religious observance, sometimes indicated by their dress or beards, made them suspect to the security services. Approximately 8,000 persons have been arrested and convicted since February 1999 on suspicion of Islamic extremism, and approximately 6,500 remain incarcerated. While exact numbers are not available, observers believe that many prisoners have died in custody, primarily due to diseases such as tuberculosis.

To determine whom to arrest, the Government used the local mahalla (neighborhood) committees as a source of information. Shortly after the 1999 Tashkent bombings, President Islam Karimov directed that each committee assign a "defender of the people," whose job it was to ensure that youths in the neighborhoods were not joining independent Islamic groups. The committees identified for police those residents who appeared suspicious. Human rights observers noted that in practice the committees often identified the same individuals who had been detained by the police in the wake of either the 1997 murders of officials in Namangan or the Tashkent bombings, and who subsequently had been released for lack of evidence.

During the period covered by this report, the number of new arrests declined sharply. Local human rights activists have confirmed that, nationwide, the total number of persons arrested on suspicion of Islamic extremism during the first 7 months of 2002 was approximately 300. The average number of arrests during any 7-month period between 1999 and mid-2001 exceeded 1,500 persons. Activists in regions where there had been largescale arrests in the past confirmed these numbers. During the period covered by this report, more than 300 persons, many of whom were arrested during the spring and summer of 2001, were convicted. In August 2001, the Government declared an amnesty, in which approximately 860 persons convicted on charges related to Islamic extremism were released.

Although the Constitution provides for the presumption of innocence, the system of justice operates on the assumption that only the guilty are brought to trial. To bolster its claim that the presumption of innocence is observed, government officials pointed out that after the 1999 bombings, approximately 5,000 persons who were detained later were released. According to government officials, most of these persons were released after they renounced their allegiance to Islamist groups and pledged never again to engage in anti-State activities, while others were released for lack of evidence.

Unlike in previous years, human rights observers and others generally were allowed to attend trials during the period covered by this report. Defendants often claimed that confessions on which the prosecution based its cases were extracted by torture. Judges usually ignored these claims and invariably convicted the accused. During the period covered by this report, the majority of sentences were from 7 to 12 years, which were more lenient than previous years' sentences of 15 to 20 years but still are quite harsh. In an October 2001 trial, a Tashkent court convicted four men, ranging in age from 27 to 30, to terms of between 6 and 18 years for their membership in Hizb ut-Tahrir. The prosecutor in this trial showed up for only one of the five court sessions, and the state's evidence consisted exclusively of testimony from two witnesses, one of whom misidentified the defendants.

Family members of individuals wanted in connection with Islamic activities, or already jailed in connection with those activities, often are harassed or arrested. In some cases, the relatives themselves are involved in what the Government considers illegal religious activities, but in many cases the relatives' guilt only is by association. For example, in April 2002, authorities arrested a niece of Imam Abidkhon Nazarov, who is believed to have fled the country. Many adult male members of the family of Nazarov remain in jail and allegedly are beaten periodically.

In another case, Rahima Ahmadalievna, who was arrested on March 17, 2001, was sentenced in September 2001 to 7 years imprisonment. Ahmadalievna is the wife of Imam Ruhiddin Fahriddinov, who was accused by the Government of "Wahhabism" and is believed to be in hiding.

Eight male relatives of Imam Farhod Usmanov, a lay Muslim Imam who died in pretrial detention in 1999, remain in jail. Imam Usmanov was popular among extremely conservative Muslims in Tashkent.

The authorities continued to arrest women for organizing demonstrations demanding the release of their jailed male relatives. During the first 6 months of 2002, in Tashkent, more than 20 women were brought to trial; all but 2 received suspended sentences.

On April 14, 2002, authorities arrested Musharaf Usmanova, the widow of Imam Farhod Usmanov. Usmanova organized several demonstrations in the fall and winter of 2001 in Tashkent. Days after her April 14 arrest, her picture appeared in the official police gazette, and she was listed as a missing person. Her family subsequently located her, and at the end of the period covered by this report, she was awaiting trial.

On April 23, 2002, 44 women demonstrated in Margilon, demanding justice in the alleged 2001 murders by NSS officers of 4 Hizb ut-Tahrir members. Eleven women were detained, and all later were released. In May 2002, three NSS officers were convicted in one of the murders. The Fergana regional procurator announced that he was conducting investigations into two more of the murders.

On September 4, 2001, police arrested 63-year-old Fatima Mirhatieva, the organizer of several demonstrations. She had received several warnings from authorities to desist from organizing further demonstrations. She was sentenced in early November 2001 to 3 years of community service and was granted amnesty.

Throughout the period covered by this report, participants in similar demonstrations throughout the country were arrested. In most cases, they later were released.

The authorities in some cases briefly detained leaders of minority religions.

In August 2000, police allegedly detained for 2 days a group of unregistered Baptists meeting in a private apartment in Chirchik. The police allegedly beat them. After a similar incident in 1999 in Karshi, the Committee on Religious Affairs claimed that it had taken steps to ensure that police would allow such Baptist congregations, which consider registration to be inconsistent with their religious beliefs, to meet undisturbed for worship.

Police conducted several raids during 2001 against meetings of Jehovah's Witnesses, and the Jehovah's Witness' general counsel reports that harassment against their members remained a problem. In two incidents, one in January and one in July 2001, police reportedly beat arrested members. The Jehovah's Witness' counsel alleges that the Government regards Jehovah's Witnesses as an extremist group. On March 26, 2002, members of Jehovah's Witnesses reported that members of the three congregations in the city of Nukus were detained and beaten while celebrating their only official religious holiday. Members were charged with participating in an illegal religious activity. Several were fined; all later were released.

The authorities have attempted to silence human rights activists who criticize government repression of religious Muslims and others. On September 18, 2001, the Andijon prosecutor initiated an investigation into the activities of members of the Human Rights Society of Uzbekistan (HRSU). HRSU had assisted a group of women demanding the release of their male relatives, all alleged members of Hizb ut-Tahrir. The Andijon chief prosecutor subsequently called off the investigation.

In February 2002, the Ministry of Justice registered the Independent Human Rights Organization of Uzbekistan (IHROU) after four years of delay. IHROU monitors the arrests and trials of persons accused of extremism.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

In August 2001, the Government announced a general amnesty. As part of that amnesty, 860 prisoners who had been convicted of crimes against the constitution (and most of whom were suspected of Islamic extremism) were released. Most of those released were alleged to have been members of, or to have had ties to, Hizb ut-Tahrir.

During the period covered by this report, the number of arrests of individuals on suspicion of Islamic extremism declined sharply. According to local human rights activists, the total arrested in the first 6 months of 2002 was less than 300, compared to thousands in previous years.

In August 2001, a commission from the office of the President visited Andijon, the site of several demonstrations in 2001. The commission met with demonstration or-

ganizers and local human rights activists. The demonstration organizers were allowed to convey their demand to release their relatives to the commission members.

In October 2001, the General Prosecutor's office launched an immediate investigation into the death of alleged Hizb ut-Tahrir member Ravshon Haitov. In January 2001, four policemen in Tashkent were convicted and sentenced to 20 years in prison each in this murder-in-custody case.

In early May 2002, three NSS officers went on trial in a Tashkent military court for the November 2001 beating death of a suspected Hizb ut-Tahrir member in Fergana. Two of the officers, including the chief of the Margilon NSS branch, eventually were convicted and sentenced to 15 years in prison. The third officer received a 4-year sentence. The Fergana Province Prosecutor announced that he was conducting an investigation into two more alleged murders by NSS officers.

The opposition political party Birlik reported on its website that a court in Fergana directly for the first time had answered allegations by defendants that they had been tortured. On April 26, 2002, the judge in the trial of 14 alleged Islamic radicals said that anyone guilty of torture would be brought before the courts.

In the fall of 2001, the authorities in Nukus registered the Nukus Full Gospel Church. According to church leaders, local authorities had objected to the presence on the membership roles of several ethnic Uzbeks in this predominantly ethnic-Korean church. The CRA has indicated that it is looking at ways to facilitate resolution of problems facing other Christian churches and has developed good working relations with minority religious leaders.

### SECTION III. SOCIETAL ATTITUDES

There are amicable relations among the various religious communities. There is no pattern of discrimination against Jews. Synagogues function openly; Hebrew education, Jewish cultural events, and the publication of a community newspaper take place undisturbed. However, many Jews have emigrated because of bleak economic prospects and because of their connection to families abroad. Anti-Semitic fliers signed by the Hizb ut-Tahrir have been distributed throughout the country.

Members of ethnic groups that traditionally are associated with Islam who convert to Christianity sometimes encounter particular societal and low-level governmental hostility.

Evangelical Christian churches and churches with ethnic Uzbeks on their roles often face difficulties, including in registering. This difficulty is often a reflection of societal attitudes. For example, an official of the Ministry of Justice office in a small provincial city refused to register an evangelical church. The official allegedly told the pastor's wife "We don't need your Russian god." The official then allegedly suggested that the woman should consider emigrating.

The leader of the Russian Orthodox Church in Central Asia complained vocally several times about foreign Christian organizations that conduct missionary activity in the country. He has claimed that this activity is destabilizing and can lead to conflict between Muslims and Christians.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy is engaged actively in monitoring religious freedom issues and problems and maintains contact with both government and religious leaders. President George Bush and the Secretary of State each met with the President during the period covered by this report and expressed the strong U.S. position on human rights, including its stance on freedom of religious expression. Both the President and the Secretary of State have noted positive developments in the human rights situation and linked continued progress in the human rights situation to the viability of a long-term close relationship with the U.S. and Government of Uzbekistan. Numerous other high U.S. Government officials, including many members of Congress, met with officials of the government and have reiterated this view. Visiting legislators repeatedly met with Uzbek human rights activists. The U.S. Ambassador and other embassy officials met with local religious leaders, human rights activists and Uzbek officials to discuss specific issues of human rights and religious freedom. Officials in Washington met on several occasions with Uzbek embassy officials to convey U.S. concerns regarding the state of religious freedom.

The Embassy's human rights officer maintains regular contact with the CRA as well as religious leaders and human rights activists. The U.S. Embassy intervened on behalf of the Nukus Full Gospel Church and the Andijon Branch of the HRSU (which monitors arrests and trials of individuals accused of Islamic extremism). Embassy officials raised with the CRA the problems facing the Jehovah's Witnesses and other Christian groups. Embassy officials worked to facilitate the registration of a charitable Jewish organization that had experienced registration difficulties.

Embassy officials met with numerous Muslim clergymen and pressed the Government to take action against security forces implicated in the deaths of individuals arrested on suspicion of Islamic extremism. Embassy officials repeatedly urged the Government to allow conservative Muslims more freedom of religious expression. The U.S. Government believes that this is an essential element in preventing further radicalization of young Muslims.

## NEAR EAST AND NORTH AFRICA

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### ALGERIA

The Constitution declares Islam to be the state religion but prohibits discrimination based on religious belief, and the Government generally respects religious freedom in practice; however, there were some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report. Islam is the only state-sanctioned religion, and the law limits the practice of other faiths; however, the Government follows a de facto policy of tolerance of non-Muslim faiths by not inquiring into the religious practices of individuals. Self-proclaimed Muslim terrorists continue to justify their killing of security force members and civilians by referring to interpretations of religious texts; however, the level of violence perpetrated by terrorists continued to decline during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom. A very small number of citizens, such as Ibadi Muslims found in the desert town of Ghardaia, practice non-mainstream forms of Islam or practice other religions, and there is minimal societal discrimination against them.

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 6,406,880 square miles, and its population is approximately 31,736,000. The vast majority of citizens belong to the Sunni branch of Islam. Official data on the number of non-Muslim residents is not available. Many citizens who practice non-Muslim faiths have fled the country due to the civil unrest; as a result, the number of Christians and Jews in the country is significantly lower than the estimated total before 1992. The small Christian community, which is predominantly Roman Catholic, has approximately 25,000 members, and the Jewish community numbers perhaps fewer than 100 persons. There are no reliable figures on the numbers of atheists in the country, and very few persons identify themselves as such.

For security reasons, due mainly to the 10-year civil conflict, both Christians and Jews concentrated in Algiers and the larger cities of Constantine and Oran in the mid-1990s. There also is a Christian community in the eastern region of Kabylie.

There is only one missionary group operating in the country on a full-time basis. Other evangelical groups travel to and from the country but are not established. While Christians do not proselytize actively, they report that conversions take place without government sanction or interference.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution declares Islam to be the state religion but prohibits discrimination based on religious belief, and the Government generally respects this prohibition in practice, with some limited exceptions. Islam is the state religion, and the law limits the practice of other faiths; however, the Government follows a de facto policy of tolerance by not inquiring into the religious practices of individuals. The small Christian and Jewish populations generally practice their faiths without government interference. Missionary groups are permitted to conduct humanitarian activities without government interference as long as they are discreet and do not proselytize. Most of the "home churches" in which Christians worship are in contact with the Government, and none report being intimidated or threatened.

*Restrictions on Religious Freedom*

The Government appoints imams to mosques and provides general guidance on sermons. The Government monitors activities in mosques for possible security-related offenses. Amendments to the Penal Code, which became law on June 27, 2001, established strict punishments, including fines and prison sentences, for anyone other than a government-designated imam who preaches in a mosque. Harsher punishments were established for any person, including government-designated imams, if such persons act “against the noble nature of the mosque” or act in a manner “likely to offend public cohesion.” The amendments do not specify what actions would constitute such acts. There were no reported cases in which the Government invoked the new amendments by the end of the period covered by this report. The Ministry of Religious Affairs provides some financial support to mosques and has limited control over the training of imams.

The law prohibits public assembly for purposes of practicing a faith other than Islam. However, Roman Catholic churches, including a cathedral in Algiers (the seat of the Archbishop), conduct services without government interference. In 1994 the size of the Jewish community diminished significantly due to fear of terrorist violence, and its synagogue since has been abandoned. There are only a few smaller churches and other places of worship; non-Muslims usually congregate in private homes for religious services.

Islamic (Shari’a) law does not recognize conversion from Islam to any other religion; however, conversion is not illegal under civil law. Conversions from Islam to other religions are rare. Due to safety concerns and potential legal and social problems, Muslim converts practice their new faith clandestinely (see Section III). While they do not proselytize actively, Christians report that conversions to Christianity take place without government sanction or interference.

Non-Islamic proselytizing is illegal, and the Government restricts the importation of non-Islamic literature for widespread distribution. Personal copies of the major works of other religions, such as the Bible, may be brought into the country. Occasionally such works are sold in local bookstores in Algiers, and in general non-Islamic religious texts no longer are difficult to find. Non-Islamic religious music and video selections also are available. The Government prohibits the dissemination of any literature that portrays violence as a legitimate precept of Islam.

Because Islam is the state religion, the country’s education system is structured to benefit Muslims. Education is free to all citizens below the age of 16, and the study of Islam is a strict requirement in the public schools, which are regulated by the Ministry of Education and the Ministry of Religious Affairs. Both private primary and private secondary schools operate in the country; however, private school students find it more difficult than other students to register for official national examinations.

Some aspects of Shari’a as interpreted and applied in the country discriminate against women. The 1984 Family Code, which is based in large part on Shari’a, treats women as minors under the legal guardianship of a husband or male relative. For example, a woman must obtain a father’s approval to marry. Divorce is difficult for a wife to obtain except in cases of abandonment or the husband’s conviction for a serious crime. Husbands generally keep the right to the family’s home in the case of divorce. Custody of the children normally is awarded to the mother, but she may not enroll them in a school or take them out of the country without the father’s authorization. Only males are able to confer citizenship on their children. Muslim women are prohibited from marrying non-Muslims; Muslim men may marry non-Muslim women.

Women also suffer from discrimination in inheritance claims; in accordance with Shari’a, women are entitled to a smaller portion of a deceased husband’s estate than are his male children or his brothers. According to Shari’a, such a distinction is justified because other provisions require that the husband’s income and assets be used to support the family, while the wife’s income and assets remain her own. Women may take out business loans and are the sole custodians of their dowries. However, in practice women do not always have exclusive control over assets that they bring to a marriage or income that they earn themselves. Females under 19 years of age may not travel abroad without the permission of a male legal guardian.

*Abuses of Religious Freedom*

The country’s 10-year civil conflict has pitted self-proclaimed radical Muslims against moderate Muslims. Approximately 100,000 civilians, terrorists, and security forces have been killed during the past 10 years. Extremist Self-proclaimed Islamists have issued public threats against all “infidels” in the country, both foreigners and citizens, and have killed both Muslims and non-Muslims, including missionaries. Extremists continued attacks against both the Government and moderate

Muslim and secular civilians; however, the level of violence perpetrated by these terrorists continued to decline during the period covered by this report. There were 313 civilian deaths due to terrorism in the first 6 months of 2002, compared with 483 civilians killed in the same period in 2001. These figures contrast with more than 1,000 killings per month several years ago. The majority of the country's terrorist groups, as a rule, do not differentiate between religious and political killings. In the majority of cases during the period covered by this report in which both security forces and civilians died at the hands of terrorists, the preferred methods of assault were knifings (particularly throat slitting) and shootings. Terrorists, often claiming religious justification for their actions, set up roadblocks to kill civilians and security force personnel.

During the period covered by this report, an indeterminate number of persons were serving prison sentences due to their alleged Islamist sympathies or membership in Islamist groups that commit or endorse terrorists acts; however, there were no reports of cases in which it was clear that persons were arrested or detained based solely on their religious beliefs.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U. S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

In general noncitizens who practice faiths other than Islam enjoy a high level of tolerance within society; however, citizens who renounce Islam generally are ostracized by their families and shunned by their neighbors. The Government generally does not become involved in such disputes. Converts also expose themselves to the risk of attack by radical extremists. On March 25, 2002, an international symposium on *Rapprochement* among the Islamic Rites was held in Algiers. Topics discussed include terrorism, religious fundamentalism, and women's rights.

The majority of cases of harassment and security threats against non-Muslims come from radical Islamists who are determined to rid the country of those who do not share their extremist interpretation of Islam (see Section II). However, a majority of the population subscribes to Islamic precepts of tolerance in religious beliefs. Moderate Islamist religious and political leaders have criticized publicly acts of violence committed in the name of Islam.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights. However, because of security-based restrictions on movement and a staff one-third the normal size, the Embassy could not maintain regular contact with the Ministry of Religious Affairs. Nevertheless, the Embassy maintained contact with leaders of the Muslim community through the two leading Islamist political parties, *Ennahda* and the *Movement of Society for Peace*.

The U.S. Embassy maintained frequent contact with the National Observatory for Human Rights (ONDH), a quasigovernmental institution that was established by the Government in response to international and domestic pressure to improve its human rights record. Wherever possible, the Embassy helped to augment the ONDH's ability to address human rights abuses. In September 2001, the ONDH was replaced with a new organization, the Consultative Commission for the Promotion and Protection of Human Rights (CCNPPDH). The Embassy actively sought and maintained contact with this organization and its leadership.

The Embassy maintained strong and close contact with religious leaders in the non-Muslim community, who cite the dangers posed by radical Islamists as their principal concern regarding the safe practice of their faith. The Embassy maintains contact with several moderate Islamist organizations, including a social service non-governmental organization and a scholarly institute.

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## BAHRAIN

The Constitution states that Islam is the official religion and also provides for freedom of religion; however, there were some limits on this right.

There was no change in the status of respect for religious freedom during the period covered by this report. In the past, the Government did not tolerate political

dissent, including from religious groups or leaders; however, in February 2001, the Amir pardoned and released all remaining political prisoners and religious leaders. Also in 2001, the Government registered new religious nongovernmental organizations (NGO's), including some with legal authority to conduct political activities. In February 2002, the King issued a new Constitution and announced May 2002 municipal council elections and October 2002 National Assembly elections. Candidates associated with religious political societies reportedly won 40 of the 50 municipal council seats contested in the May 2002 election. Candidates from religious political societies conducted their campaigns without any interference from the Government. The Government continues to subject both Sunni and Shi'a Muslims to some governmental control and monitoring, and there is some government discrimination against Shi'a Muslims. Members of other religions who practice their faith privately do so without interference from the Government.

Relations among religions in society generally are amicable; however, Shi'a Muslims, who constitute the majority of the population, sometimes resent minority Sunni Muslim rule.

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 231 square miles, and its population is approximately 660,000. The citizen population is 98 percent Muslim; Jews and Christians constitute the remaining 2 percent. Muslim citizens belong to the Shi'a and Sunni branches of Islam, with Shi'a constituting as much as two-thirds of the indigenous population.

Foreigners, mostly from South Asia and other Arab countries, constitute approximately 38 percent of the total population. Roughly half of resident foreigners are non-Muslim, including Christians, Jews, Hindus, Baha'is, Buddhists, and Sikhs.

There is no information available regarding the numbers of atheists in the country.

The American Mission Hospital, which is affiliated with the National Evangelical Church, has operated in the country for more than a century. The church adjacent to the hospital holds weekly services and also serves as a meeting place for other Protestant denominations.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution states that Islam is the official religion and also provides for freedom of religion; however, there were some limits on this right. In the past, the Government did not tolerate political dissent, including from religious groups or leaders; however, in February 2001 the King pardoned and released all remaining political prisoners and religious leaders, including Shi'a clerics. In 2001 the Government also registered new religious NGO's, including some with the legal authority to conduct political activities. In February 2002, the King issued a new Constitution and announced May 2002 municipal council elections and October National Assembly elections. Candidates associated with religious political societies reportedly won 40 of the 50 municipal council seats contested in the May 2002 election. During the election, candidates from religious political societies conducted their campaigns without any interference from the Government. The Government continues to subject both Sunni and Shi'a Muslims to some governmental control and monitoring, and there is some government discrimination against Shi'a Muslims. Members of other religions who practice their faith privately do so without interference from the Government, and are permitted to maintain their own places of worship and display the symbols of their religion.

Every religious group must obtain a permit from the Ministry of Justice and Islamic affairs in order to operate. Depending on circumstances, a religious group also may need approvals from the Ministry of Labor and Social Affairs, the Ministry of Information, and the Ministry of Education (if the religious group wants to run a school). In 2001 the Mar Thoma Syrian Church of Malabar India, which is affiliated with the U.S. Episcopal Church, applied for authority to build its own church building; however, by the end of the period covered by this report, the local parish leader had not received permission from all Government authorities to begin work. Holding a religious meeting without a permit is illegal; there were no reports of religious groups being denied a permit. At least one religious event was held without a permit, and after this event, the Government took no action against the event's sponsor.

The High Council for Islamic Affairs is charged with the review and approval of all clerical appointments within both the Sunni and Shi'a communities, and maintains program oversight for all citizens studying religion abroad.

The civil and criminal legal systems consist of a complex mix of courts based on diverse legal sources, including Sunni and Shi'a Shari'a (Islamic law), tribal law, and other civil codes and regulations.

The Shi'a religious celebration of Ashura is a 2-day national holiday. The Shi'a stage large public processions during the holiday. The King ordered the Ministry of Information to provide full media coverage of 2002 Ashura events.

Notable dignitaries from virtually every religion and denomination visit the country and frequently meet with the Government and civic leaders.

In 1999 Amir Hamad bin Isa al-Khalifa publicly called for religious tolerance, and in November 1999, he met with Pope John Paul II and established diplomatic relations with the Vatican.

#### *Restrictions on Religious Freedom*

The Government funds, monitors, and closely controls all official religious institutions. These include Shi'a and Sunni mosques, Shi'a Ma'tams (community centers), Shi'a and Sunni Waqfs (charitable foundations), and the religious courts, which represent both the Ja'afari (Shi'a) and Maliki (Sunni) schools of Islamic jurisprudence. While the Government rarely interferes with what it considers legitimate religious observations, in the past it actively has suppressed any activity deemed overtly political in nature. The Government permits public religious events, most notably the large annual commemorative marches by Shi'a, but such events are monitored closely by the police.

In the past, the Government occasionally closed mosques and Ma'tams for allowing political demonstrations to take place on or near their premises or to prevent religious leaders from delivering political speeches during Friday prayer and sermons; however, there were no reported closures of mosques or Ma'tams during the period covered by this report. In past years, the Government detained religious leaders for delivering political sermons or for allowing such sermons to be delivered in their mosques. The Government also has appropriated or withheld funding in order to reward or punish particular individuals or places of worship. However, there were no reports of such detentions or funding restrictions during the period covered by this report.

The Government discourages proselytizing by non-Muslims and prohibits anti-Islamic writings. However, Bibles and other Christian publications are displayed and sold openly in local bookstores that also sell Islamic and other religious literature. Religious tracts of all branches of Islam, cassettes of sermons delivered by Muslim preachers from other countries, and publications of other religions readily are available. However, a government-controlled proxy server prohibits user access to Internet sites considered to be antigovernment or anti-Islamic. The software used is unreliable and often inhibits access to uncontroversial sites as well.

There are no restrictions on the number of citizens permitted to make pilgrimages to Shi'a shrines and holy sites in Iran, Iraq, and Syria. In the past, stateless residents who did not possess Bahraini passports had difficulties arranging travel to religious sites abroad. However, the Government addressed this problem during the period covered by this report by granting citizenship to between 9,000 and 15,000 previously stateless residents. The Government monitors travel to Iran and scrutinizes carefully those who choose to pursue religious study there.

Although there are notable exceptions, the Sunni Muslim minority enjoys a favored status. Sunnis predominate because of the patronage of a Sunni ruling family that is supported by the armed forces, the security service, and powerful Sunni and Shi'a merchant families. Sunnis receive preference for employment in sensitive government positions and in the managerial ranks of the civil service. Shi'a citizens are not allowed to hold significant posts in the defense and internal security forces. However, since April 1999, Shi'a have been allowed to be employed in the enlisted ranks of the Bahrain Defense Force and with the Ministry of the Interior, two bodies in which Shi'a had been denied employment during previous years.

The political dynamic of Sunni predominance in the past has led to incidents of unrest between the Shi'a community and the Government. There were no reports of significant political or religious unrest during the period covered by this report.

Shari'a governs the personal legal rights of women, although the new Constitution provides for women's political rights. Specific rights vary according to Shi'a or Sunni interpretations of Islamic law, as determined by the individual's faith, or by the courts in which various contracts, including marriage, have been made. While both Shi'a and Sunni women have the right to initiate a divorce, religious courts may refuse the request. Although local religious courts may grant a divorce to Shi'a

women in routine cases, occasionally Shi'a women seeking divorce under unusual circumstances must travel abroad to seek a higher ranking opinion than that available in the country. Women of either branch of Islam may own and inherit property and may represent themselves in all public and legal matters. In the absence of a direct male heir, a Shi'a woman may inherit all property. In contrast, a Sunni woman—in the absence of a direct male heir—inherits only a portion as governed by Shari'a; the balance is divided among brothers, uncles, and male cousins of the deceased. A Muslim woman legally may marry a non-Muslim man if the man converts to Islam. In such marriages, the children automatically are considered to be Muslim.

In divorce cases, the courts routinely grant Shi'a and Sunni women custody of daughters under the age of 9 and sons under age 7, although custody usually reverts to the father once the children reach those ages. In all circumstances except mental incapacitation, the father, regardless of custody decisions, retains the right to make certain legal decisions for his children, such as guardianship of any property belonging to the child, until the child reaches legal age. A noncitizen woman automatically loses custody of her children if she divorces their citizen father.

#### *Abuses of Religious Freedom*

Until February 14, 2001, the Government held in detention hundreds of Shi'a, including religious leaders, for offenses involving "national security." In June 1999, the Government gradually began releasing incarcerated individuals as part of an Amiri decree calling for the release or pardon of more than 350 Shi'a political prisoners, detainees, and exiles. In December 1999 and during 2000, the Amir pardoned at least another 350 such prisoners. By February 2001, the Amir had pardoned and released all political prisoners, detainees, and exiles, including Hassan Sultan and Haji Hassan Jasrallah, two Shi'a clerics associated with prominent cleric Abdul Amir Al-Jamri, as well as Shi'a political activists Haasan Mushaimaa and Abdul Wahab Hussein, who had been in detention for more than 5 years.

On March 8, 2001, Shaikh Issa Qassim, a cleric and the former head of the Shi'a Religious Party, returned to the country after an 8-year exile. The Government permitted large crowds of celebrating Shi'a to greet Qassim upon his return.

In July 1999, the Amir pardoned prominent Shi'a cleric Abdul Amir Al-Jamri, who had been in prison since 1996. Following his release, the Government monitored Al-Jamri's movements. It also denied him the right to issue marital status certificates, a lucrative source of income for many clerics. However, since January 2001, the Government has ceased conducting surveillance of Al-Jamri's residence and permitted him to lead Friday noon prayers. During 2001 Al-Jamri also delivered sermons at various mosques in Manama whose texts were published in local newspapers. Al-Jamri also served as a founding member of Al-Wifaq, one of four NGO's authorized to conduct political activities.

There were no reports of religious detainees or prisoners during the period covered by this report whose imprisonment could be attributed solely to the practice of their religion.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Although there are notable exceptions, the Sunni Muslim minority enjoys a favored status. In the private sector, Shi'a tend to be employed in lower paid, less skilled jobs. Educational, social, and municipal services in most Shi'a neighborhoods, particularly in rural villages, are inferior to those found in Sunni urban communities. In an effort to remedy social discrimination, the Government has built numerous subsidized housing complexes, which are open to all citizens on the basis of financial need. In order to ease both the housing shortage and strains on the national budget, in 1997 the Government revised its policy to permit lending institutions to finance mortgages on apartment units.

Converts from Islam to other religions are not well tolerated by society, but some small groups worship in their homes.

On May 15, 2002, 70 graves at the St. Christopher's Church graveyard were desecrated. Crosses were uprooted and broken and headstones were smashed, making identification of some graves impossible. The King promised to restore the graveyard, and also to transform it into a monument to the country's history of Christian-Muslim relations. After demonstrations in support of Palestinians on October 2000, several youths and men reportedly boarded a bus carrying Catholic parishioners,

took Bibles from the parishioners, and threw some of the Bibles out of the bus windows.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights.

An official written dialog takes place between U.S. Embassy officials and government contacts on matters of religion. One such example is the memorandum received by the Embassy each year from the Government in response to the Country Reports on Human Rights Practices.

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### EGYPT

The Constitution provides for freedom of belief and the practice of religious rites; however, the Government places restrictions on this right. Under the Constitution, Islam is the official state religion and the primary source of legislation. Accordingly religious practices that conflict with Islamic law (Shari'a) are prohibited. However, in Egypt the practice of Christianity or Judaism does not conflict with Shari'a and, for the most part, members of the non-Muslim minority worship without harassment and maintain links with coreligionists in other countries.

With some exceptions, there was a continued trend toward improvement in the Government's respect for and protection of religious freedom during the period covered by this report. There were some Government abuses and restrictions on the right to religious freedom. The Government continued to prosecute for unorthodox religious beliefs and practices under the charge of "insulting heavenly religions." Two men were convicted on that charge by a State Security Emergency Court in November 2001 (sentenced to 5 and 3 years in prison respectively), as were 8 persons in March 2002 (sentences ranged from 3 years in prison to suspended sentences). In May 2002, a group of 21 persons were referred to trial in a State Security Emergency Court on the same charge; the trial was ongoing at the end of the period covered by this report. A group of 18 Egyptian Baha'is arrested in early 2001 on suspicion of insulting religion were released without charge after having been detained several months. Two non-Egyptian Scientologists arrested in December 2001 were charged with insulting religion, but then released on bail and deported in May 2002. Nevertheless, there was a significant increase in public intercommunal dialogue, as well as in press and public discussion of intercommunal relations and religious discrimination. In addition the Government reacted more effectively than in the past to contain intercommunal violence, for example to the burning of a church in the southern province of Minya in February 2002.

Religious discrimination and occasional sectarian tension in society are problems about which many citizens agree more needs to be done; however, many argue that development of the economy, polity, and society is the most effective and enduring way to abolish prejudice. In November 2001, a criminal court in Sohag began the retrial of 96 defendants suspected of crimes committed while participating in violence in the village of Al-Kush in January 2000 that resulted in the deaths of 20 Christians and 1 Muslim; the trial was ongoing as of the end of June 2002. Ninety-two of 96 were acquitted in the first trial in February 2001, a verdict successfully appealed by the Public Prosecutor. In February 2002, Muslims in the village of Bani Walimss attacked a newly reconstructed church during a reconsecration ceremony, doing extensive damage by fire; the Government ordered the damage repaired at Government expense.

The subject of religious freedom remains an important and active part of the bilateral dialog between the U.S. and Egyptian Governments. Senior Administration officials, the U.S. Ambassador, and members of Congress have raised U.S. concerns about religious discrimination with President Hosni Mubarak and other senior government officials.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 370,308 square miles, and its population is approximately 68 million. Most citizens, approximately 90 percent, are Sunni Muslims. There is a small number of Shi'a Muslims who constitute less than 1 percent of the population. Approximately 8 to 10 percent of the population are Christians, the majority of whom belong to the Coptic Orthodox Church. Other Christian communities include the Armenian Apostolic, Catholic (Armenian, Chaldean, Greek, Melkite, Roman, and Syrian Catholic), Maronite, and Orthodox (Greek and Syrian) Church-

es. An evangelical Protestant church, first established in the middle of the 19th century, has grown to a community of 17 Protestant denominations. There also are followers of the Seventh-Day Adventist Church, which was granted legal status in the 1960's. The non-Muslim, non-Coptic Orthodox communities range in size from several thousand to hundreds of thousands. The number of Baha'is has been estimated at between several hundred and a few thousand. The Jewish community numbers fewer than 200 persons. There are very few declared atheists.

Christians are geographically dispersed throughout the country, although the percentage of Christians tends to be higher in upper (southern) Egypt and some sections of Cairo and Alexandria.

There are many foreign missionary groups that work within the country, especially Roman Catholics and Protestants who have had a presence in the country for 100 years or more, although their mission involves education more than proselytizing. The Government generally tolerates missionary groups if they do not proselytize actively.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of belief and the practice of religious rites; however, the Government places restrictions on this right. Under the Constitution, Islam is the official state religion and the primary source of legislation. Accordingly religious practices that conflict with Shari'a are prohibited; however, the practice of Christianity or Judaism is not considered to conflict with Shari'a and, in general, members of the non-Muslim minority worship without harassment and maintain links with coreligionists in other countries.

The Constitution requires schools to offer religious instruction. Public and private schools provide religious instruction according to the faith of the student.

The religious establishment of Al-Azhar and the Ministry of Awqaf (Religious Endowments) engage in interfaith discussions both domestically and abroad. First Lady Suzanne Mubarak has supported the development of reading and other curricular materials that advocate tolerance, which are distributed under her patronage by literacy projects aimed at children and adults, such as a "Reading for All" festival that was held during 2001.

### *Restrictions on Religious Freedom*

All mosques must be licensed, and the Government is engaged in an effort to control them legally in a proclaimed effort to combat extremists. The Government appoints and pays the salaries of the imams who lead prayers in mosques and monitors their sermons. In June 2002, the Minister of Awqaf announced that of the more than 80,000 mosques in the country, the Government controls administratively 60,000 regular mosques and 15,000 mosques located in private buildings. The Minister said that the Government hoped to control all mosques by the end of 2003.

An 1856 Ottoman decree still in force requires non-Muslims to obtain a presidential decree to build a place of worship. In addition Interior Ministry regulations issued in 1934 specify a set of 10 conditions that the Government must consider prior to issuance of a presidential decree permitting construction of a church. These conditions include the location of the proposed site, the religious composition of the surrounding community, and the proximity of other churches. The Ottoman decree also requires the President to approve permits for the repair of church facilities.

In December 1999, in response to strong criticism of the Ottoman decree, President Mubarak issued a decree making the repair of all places of worship subject to a 1976 civil construction code. The decree is significant symbolically because it places churches and mosques on equal footing before the law. The practical impact of the decree has been to facilitate significantly church repairs. However, Christians claim that local permits still are subject to security authorities' approval. During the period covered by this report, the President approved a total of 23 permits for church-related construction, including 2 permits for the construction of new churches; 2 permits for demolition and reconstruction of churches; 10 permits for churches previously constructed without authorization, 8 permits for construction of additional church facilities; and 1 permit for cemetery construction. This generally represented a decrease from previous years.

The approval process for church construction continued to be time-consuming and insufficiently responsive to the wishes of the Christian community. Although President Mubarak reportedly has approved all requests for permits presented to him, Christians maintain that the Interior Ministry delays—in some instances indefinitely—submission to the President of their requests. They also maintain that security forces have blocked them from using permits that have been issued, and that

local security officials at times blocked or delayed permits for repairs to church buildings. During the summer of 2000, newspapers published a May 22, 2000 letter from the secretary general of Assiyut governorate to the head of the Assiyut council directing that all church repair requests be screened by security before being approved. In March 2001, President Mubarak ordered the reconstruction at Government expense of two church buildings in Qalyubia that had been demolished by local authorities. However, by the end of June 2002, one of the buildings had not yet been rebuilt due to administrative obstacles created by local security officials. Other examples reported in the press during the period covered by this report include a Baptist church in Awlad Ilyas, near the southern city of Assiyut, which received a written approval for repairs in June 1999, but on which local police prevented work from being performed, and a bishop's residence in Manfalout, near Assiyut, which received a permit for a new building in 2000 but on which local police stopped work in 2001.

As a result of these restrictions, some communities use private buildings and apartments for religious services or build without permits. On December 16, 2001, the mayor of the new community of al'Obour (north of Cairo) ordered the demolition of a fence surrounding a plot of land designated for construction of a church. The local congregation had erected the fence without a permit and had begun holding prayer services on the site while they awaited a presidential decree. In addition the congregation of the Baptist church in Awlad Ilyas, near Assiyut, has used the churchyard for prayers because local police have prevented repairs to the structure.

In January 1996, human rights activist Mamdouh Naklah filed suit challenging the constitutionality of a 1934 Minister of Interior decree, which was based on an 1856 Ottoman decree governing the building of places of worship for non-Muslims. In December 1998, an administrative court referred Naklah's case to the State Commissioner's Office, which in September 2000, recommended rejecting the suit on the grounds that Naklah had no standing to file suit. In October 2000, upon receiving a rebuttal from Naklah, the court returned the case to the State Commissioner's Office, and requested an opinion on the constitutionality of the 10 conditions. The State Commissioner's Office had not issued an opinion on this matter by the end of the period covered by this report, and it appears unlikely that the case will be heard.

In 1960, President Gamal Abdel Nasser issued a decree (Law 263 for 1960) banning Baha'i institutions and community activities. All Baha'i community properties, including Baha'i centers, libraries, and cemeteries, were confiscated. This ban has not been rescinded.

Political parties based on religion are illegal. Pursuant to this law, the Muslim Brotherhood is an illegal organization. Muslim Brothers speak openly and publicly about their views, although they do not explicitly identify themselves as members of the organization, and they remain subject to government pressure. Seventeen independent candidates backed by the Muslim Brotherhood were elected to the People's Assembly in the November 2000 parliamentary elections.

Unlike in previous years, there were no new cases of authors facing trial or charges related to writings or statements considered heretical. On July 30, 2001, the Cairo Personal Status Court rejected a lawsuit against feminist author Nawal al-Sa'adawi, in which Islamist attorney Nabih al-Wahsh sought to force the divorce of al-Sa'adawi from her husband on the grounds of apostasy due to views expressed by al-Sa'adawi regarding Muslim customs and beliefs. In June 2001, the Public Prosecutor ordered the release, pending an appeal, of author Ala'a Hamed, who had been convicted in 1998 of insulting Islam in a novel; the Court still had not heard his appeal by the end of June 2002.

Various ministries legally are authorized to ban or confiscate books and other works of art upon obtaining a court order. The Islamic Research Center at Al-Azhar University has legal authority to censor, but not to confiscate, all publications dealing with the Koran and Islamic scriptural texts. In recent years, the Center has passed judgment on the suitability of nonreligious books and artistic productions, but there were no new cases during the year.

In 1995 an administrative court ruled that the sole authority to prohibit publication or distribution of books and other works of art is vested in the Ministry of Culture. This decision invalidated a 1994 advisory opinion by a judiciary council that had expanded Al-Azhar's censorship authority to include visual and audio artistic works. The same year, President Mubarak stated that the Government would not allow confiscation of books from the market without a court order, a position supported by the then-Mufti of the Republic, who is now the Grand Imam of Al-Azhar.

In 1997 human rights activist Mamdouh Naklah filed suit seeking removal of the religious affiliation category from government identification cards. Naklah challenged the constitutionality of a 1994 decree by the Minister of Interior governing

the issuance of new identification cards. The court repeatedly has delayed setting a trial date, and it appears unlikely that the case will be heard.

The Constitution provides for equal public rights and duties without discrimination due to religion or creed, and in general, the Government upholds these constitutional protections; however, government discrimination against non-Muslims exists. There are no Christians serving as governors, presidents of public universities, or deans. There are few Christians in the upper ranks of the security services and armed forces. Although there was improvement in a few areas, government discriminatory practices include: discrimination against Christians in the public sector; discrimination against Christians in staff appointments to public universities; payment of Muslim imams through public funds (Christian clergy are paid by private church funds); and refusal to admit Christians to Al-Azhar University (which is publicly funded). In general public university training programs for Arabic-language teachers refuse to admit non-Muslims because the curriculum involves the study of the Koran; however, in 2001 the first Christian graduated from an Arabic-language department at the Suez Canal University.

Anti-Semitic articles and editorials are published in privately owned papers and, to a lesser extent, in the Government press, and have increased since 2000 following the increase in violence in Israel and in the occupied territories. The Government reportedly has advised journalists and cartoonists to avoid anti-Semitism. However, government officials insist that manifestations of anti-Semitism in the media are a direct result of Israeli government actions against Palestinians and do not reflect historical anti-Semitism.

On September 6, 2001, an administrative court in Alexandria ruled in favor of a suit brought by a local resident calling for cancellation of an annual Jewish celebration at the tomb of Rabbi Abu Hasira in the Delta on the grounds of indecency, as well as suspension of a Ministry of Culture decree declaring the tomb an antiquity site protected by the Government. The Ministry of Culture contested the Alexandria court's decision; the case was pending before a higher administrative court at the end of the period covered by this report.

In 1996 upon agreement with Coptic Orthodox Pope Shenouda, the Minister of Awqaf, Hamdy Zaqzouq, established a joint committee to address a dispute with the Coptic Orthodox Church that originated in 1952. At that time, the Government seized approximately 1,500 acres of agricultural land from the Church and transferred title to the Ministry of Awqaf, which is responsible for administering religious trusts. Based on the committee's recommendations, more than 800 acres have been returned to the Church during the last few years. In August 2000, the Coptic Orthodox Church won a lawsuit to reclaim several plots of land in greater Cairo that had been seized by private or Government institutions before 1952; however, there continued to be no new returns during the year.

According to a 1995 law, the application of family law, including marriage, divorce, alimony, child custody, and burial, is based on an individual's religion. In the practice of family law, the State recognizes only the three "heavenly religions": Islam, Christianity, and Judaism. Muslim families are subject to the Personal Status Law, which draws on Shari'a (Islamic law). Christian families are subject to canon law, and Jewish families are subject to Jewish law. In cases of family law disputes involving a marriage between a Christian woman and a Muslim man, the courts apply the Personal Status Law.

Under Shari'a non-Muslim males must convert to Islam to marry Muslim women, but non-Muslim women need not convert to marry Muslim men. Muslim women are prohibited from marrying Christian men.

Inheritance laws for all citizens are based on Shari'a. Muslim female heirs receive half the amount of a male heir's inheritance, while Christian widows of Muslims have no inheritance rights. A sole female heir receives half her parents' estate; the balance goes to designated male relatives. A sole male heir inherits all his parents' property. Male Muslim heirs face strong social pressure to provide for all family members who require assistance; however, this assistance is not always provided. In January 2000, the Parliament passed a new Personal Status Law that made it easier for a Muslim woman to obtain a divorce without her husband's consent, provided that she is willing to forego alimony and the return of her dowry.

The Coptic Orthodox Church excommunicates women members who marry Muslim men, and requires that other Christians convert to Coptic Orthodoxy in order to marry a member of the Church. The Coptic Orthodox Church permits divorce only in specific circumstances, such as adultery or conversion of one spouse to another religion.

*Abuses of Religious Freedom*

The Government at times prosecutes members of religious groups whose practices deviate from mainstream Islamic beliefs, and whose activities are believed to jeopardize communal harmony. For example, in January 2001, the Government arrested 18 persons in the southern Egyptian city of Sohag—most were Baha'is and some were Muslims—on suspicion of violating Article 98(F) of the Penal Code (“insulting a heavenly religion”) and other possible charges. The detainees were released without charge in small groups during September and October 2001.

On July 18, 2001, a State Security Emergency Court began the trial of a group of 52 men arrested in Cairo in May 2001 on suspicion of homosexual activity and unorthodox religious practices. Two of the defendants, who allegedly advocated a belief system combining Islam and tolerance for homosexuality, were charged with violating Article 98(F) of the Penal Code. Their trial was pending at the end of the period covered by this report. The remaining 50 detainees faced charges unrelated to religious beliefs or practices. On November 14, 2001, the two were convicted and given sentences of 5 and 3 years in prison respectively. Twenty others received 2-year sentences and one received a 1-year sentence for “habitual debauchery,” while 29 were acquitted. In May 2002, President Mubarak ratified the verdicts against the two convicted of violating Article 98(F), but overturned the conviction of the other 21, ordering their retrial in a regular criminal court instead of a State Security Emergency Court. The retrial had not yet begun by the end of the period covered by this report.

On December 24, 2001, Scientologists Wafaa Ahmed (holding a Jordanian passport) and Mahmoud Masarwa (holding an Israeli passport) were detained on suspicion of violating Article 98(F) due to their promotion of the book “Dianetics.” On March 27, 2002, a State Security court in Cairo ordered their release pending trial on a bail of \$2,700 (10,000 Egyptian pounds). Ahmed and Masarwa, who held residency and work permits in Italy, were deported to Italy on April 11, 2002.

On March 5, 2002, a State Security Emergency Court convicted eight persons from the city of Mataria near Cairo of violating Article 98(F) of the Penal Code. They were arrested in October 2001 for holding unorthodox Islamic beliefs and practices. Sentences ranged from 3 years in prison for the two principal defendants to 1-year suspended sentences for the remaining 6 persons, who were dealt with more leniently because they were not accused of propagating the unorthodox beliefs.

On May 29, 2002, a State Security Emergency Court in Nasr City (in greater Cairo) began hearing the case of 21 persons accused of “insulting religion due to unorthodox Islamic beliefs and practices.” The trial was ongoing, and 17 of the defendants remained in detention at the end of the period covered by this report, while 4 were released.

In August 1999, the public prosecutor reopened and expanded an investigation of police torture of mostly Christian detainees that took place during the police investigation in August and September 1998 of the murder of Samir Aweda Hakim and Karam Tamer Aarsal in the largely Coptic village of Al-Kush in Sohag governorate. However, the investigation made little progress since 2001 and appeared effectively closed. It is unclear whether religion was a factor in the 1998 actions of the police officers. Police abuse of detainees is a widespread practice that occurs regardless of a detainee's religious beliefs.

On June 5, 2000, a criminal court in Sohag city convicted Shayboub William Aarsal of the 1998 murder of Hakim and Aarsal. The court sentenced Shayboub to 15 years' hard labor. An appeal that has been pending for 2 years had not been heard by the end of the period covered by this report. The Christian community of Al-Kush believes that Shayboub, a Christian resident of Al-Kush, was accused and convicted of the crime because of his religion.

In June 2001, the Public Prosecutor ordered the release, pending an appeal, of author Ala'a Hamed, who had been convicted of insulting Islam in a novel in 1998; his appeal was pending at the end of the period covered by the report.

Neither the Constitution nor the Civil and Penal Codes prohibit proselytizing, but those accused of proselytizing have been harassed by police or arrested on charges of violating Article 98(F) of the Penal Code, which prohibits citizens from ridiculing or insulting heavenly religions or inciting sectarian strife.

While there are no legal restrictions on the conversion of non-Muslims to Islam, there are occasional reports that police harass Christians who had converted from Islam. In cases involving conversion from Islam to Christianity, authorities in the past also have charged several converts with violating laws prohibiting the falsification of documents. In such instances, converts, who fear government harassment if they officially register the change from Islam to Christianity, have altered their identification cards and other official documents themselves to reflect their new reli-

gious affiliation. However, there were no reports of such charges during the period covered by this report.

An estimated several thousand persons are imprisoned because of alleged support for or membership in Islamist groups seeking to overthrow the Government. The Government states that these persons are in detention because of membership in or activities on behalf of violent extremist groups, without regard to their religious affiliation. During the period covered by this report, security forces arrested several hundred persons allegedly associated with the banned Muslim Brotherhood. Most observers believe that the Government was seeking to undermine Muslim Brotherhood organization of pro-Palestinian and anti-U.S. and anti-Israel demonstrations. There also were arrests of Muslim Brotherhood supporters following a People's Assembly byelection in Alexandria in June 2002. President Mubarak referred three alleged extremist groups to trial before military tribunals.

In past years, Coptic Christians have been the objects of occasional violent assaults by the Islamic Group and other terrorists. However, there have been no reports of terrorist attacks against Christians since 1998.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion carried out by the Government. There were reports of forced conversions of Coptic girls to Islam by Muslim men. Reports of such cases are disputed and often include inflammatory allegations and categorical denials of kidnaping and rape. Observers, including human rights groups, find it extremely difficult to determine whether compulsion was used, as most cases involve a Coptic girl who converts to Islam when she marries a Muslim boy. According to the Government, in such cases the girl must meet with her family, with her priest, and with the head of her church before she is allowed to convert. However, there are credible reports of Government harassment of or lack of cooperation with Christian families that attempt to regain custody of their daughters, and of the failure of the authorities to uphold the law (which states that a marriage of a girl under the age of 16 is prohibited, and between the ages of 16 and 21 is illegal, without the approval and presence of her guardian) in cases of marriage between an underage Christian girl and a Muslim boy.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

During the period covered by this report, the Government took several steps to promote and improve religious freedom and tolerance. Following terrorist attacks in the United States in September 2001, and the increase in Israeli-Palestinian violence, government religious institutions such as Al-Azhar accelerated a schedule of interfaith discussions inside the country and abroad. The Grand Imam of Al-Azhar Sheikh Tantawi and Coptic Orthodox Pope Shenouda participated in many joint public events, such as an October 11, 2001, conference entitled "World Developments and Implications for National Unity" and the May 2002 14th General Conference of the Supreme Council for Islamic Affairs. Sheikh Tantawi also participated in a January 2002 meeting organized by the Anglican Church in Alexandria of Muslim, Jewish, and Christian leaders from Egypt, Israel, and areas under the jurisdiction of the Palestinian Authority. At the end of the conference, President Mubarak received the group, which issued a joint statement on resolving the Israeli-Palestinian conflict. In May 2002, during a visit to the southern city of Sohag to inaugurate Islamic projects, Sheikh Tantawi visited the Coptic Orthodox Bishop of Sohag and gave a speech on the strong bond between Christians and Muslims.

In an unusual gesture, in July 2001, the graduating class of the Air Defense Academy held a parade reviewed by President Mubarak, during which officers marched in the formation of an Islamic crescent embracing a cross.

During the period covered by this report, the Government took more prompt action than it had in the past to contain incidents of sectarian tension. In response to demonstrations by Christians in June 2001 following the publication of a newspaper story and photos regarding a defrocked Coptic monk, President Mubarak held a lengthy meeting with Coptic Orthodox Pope Shenouda on July 8, 2001, and the Government prosecuted the newspaper's publisher for slander (see Section III). When Muslim villagers burned a newly rebuilt church in Bani Walimss in the southern Egyptian province of Minya on February 10, 2002, the Governor of Minya went the same day to the church, met with the local bishop, and made a public statement denouncing the violence. The Government ordered the church to be rebuilt at Government expense, and it was reconsecrated in the presence of the Governor and Muslim clerics on April 27, 2002. In a number of cases reported in the

media, Government officials participated in the consecration ceremonies for new churches. For example, on March 21, 2002, Pope Shenouda laid the cornerstone for the first Coptic Orthodox church in South Sinai province in the presence of Government officials, sheikhs from Al-Azhar, and a representative of the Holy See.

On March 4, 2002, the Basatin cemetery bridge, a joint project of the Government and the American NGO Athra Kadisha, was completed. The project, on which negotiations began in 1989, is a modern highway—part of Cairo's Ring Road—that traverses a cemetery but respects Jewish religious strictures against moving or disturbing burial sites.

Building on actions first taken in late 1999, government-owned television and radio continued to expand the amount of programming time devoted to Christian issues, including live broadcast of Christmas and Easter services, excerpts from Coptic Orthodox Pope Shenouda's weekly public addresses, documentaries on the country's monasteries, the travels of the Holy Family and other aspects of Christian history, and discussions among Muslims and Christians of local and international topics including discrimination. Christian clergy spoke on popular television programs such as "Good Morning Egypt" about current topics and Christian religious beliefs. A version of Sesame Street especially designed for the country by the Children's Television Workshop with assistance from the U.S. Agency for International Development (USAID) that began in August 2000, gained broad viewership among young children and many of their parents. Among the aims of the program is the promotion of tolerance, and one of the principal characters is a Christian. There were no discriminatory programs in the broadcast media.

Government and independent newspapers published a broad spectrum of news and views on religious topics, particularly following the terrorist attacks against the United States in September 2001. The Government-run printing house Dar al-Ma'arif published for sale a new edition of the four Christian gospels, resuming a practice that had stopped decades ago.

The Minister of Education has developed and distributed curricular materials instructing teachers in government schools to discuss and promote tolerance in teaching. Government schools began using a new curriculum on the Coptic and Byzantine periods of Egyptian history, developed with the advice and support of Christian intellectuals and the Coptic Orthodox Church.

### SECTION III. SOCIETAL ATTITUDES

Muslims and Christians share a common history and national identity. They also share the same ethnicity, race, culture, and language. Christians are geographically dispersed throughout the country, and Christians and Muslims live as neighbors. At times religious tensions flare up, and individual acts of prejudice occur. Members of both faiths practice discrimination. The majority of citizens agree that more needs to be done to eliminate discrimination, but argue that development of the economy, polity, and society is the most effective and enduring way to abolish social prejudice.

On February 10, 2002, Muslim villagers firebombed a newly reconstructed church in Bani Walimss, in the southern province of Minya, during the consecration ceremony, allegedly in reaction to prolonged tolling of the church bells. Local police intervened and halted the violence, during which several people were injured and property damaged; 49 persons were arrested. The Governor of Minya went to the church on the same day, made a public statement denouncing the violence, and met with the local bishop the same day, and the Government ordered that the damaged church and private properties be repaired at government expense. In March local government officials, parliamentarians, and Muslim and Christian clerics brokered a reconciliation between the Christian and Muslim families. Victims of the violence agreed not to press charges, and the 49 persons detained were released. On April 27, 2002, the repaired church was reconsecrated in the presence of the Governor and local Christian and Muslim clergy.

On July 26, 2000, gunmen killed Christian farmer Magdy Ayyad Mus'ad and wounded five other persons in Giza province, allegedly because of objections to a church Mus'ad built. Authorities charged a person with the killing but released the suspect on bail in October 2000; by the end of the period covered by this report, no trial date had been set. On December 11, 2000, Father Hezkiyal Ghebriyal, a 75-year-old Coptic Orthodox priest, was stabbed and seriously wounded in the village of Bardis, near Sohag. Police arrested the suspected attacker. At the end of the period covered by this report, the suspect remained in prison pending an ongoing investigation. The case of Ahmad and Ibrahim Nasir, who were sentenced to 7 years in prison for the September 1999 murder of a monk in Assiyut, remained pending at the end of the period covered by this report. The Court of Cassation had not yet set a date to hear an appeal by the Public Prosecutor seeking a heavier sentence.

On June 23, 2002, a State Security Court in Assiyut began hearing the trial of Mohammed Abdel Azim, accused of participating in the killing of 13 Christians in the village of Sanbo in March 1992. Abdel Azim had been sentenced in absentia to 3 years in prison in 1994. He was extradited to Egypt by Saudi Arabia in late 2001.

A trade dispute between a Christian clothing merchant and a Muslim customer that occurred on December 31, 1999, in the village of Al-Kush in Sohag governorate, escalated into violent exchanges between Muslims and Christians in the area, and resulted in the death of 21 Christians and 1 Muslim by January 2, 2000. On February 5, 2001, the Sohag Criminal Court acquitted 92 of the 96 defendants (58 Muslims and 38 Christians) accused of the crimes committed in Al-Kush. One defendant was convicted of manslaughter and sentenced to 10 years in prison and three defendants were convicted of arson and sentenced to 1 year in prison. Based on an appeal by the Public Prosecutor, on July 30, 2001, the Court of Cassation overturned the verdicts and ordered a retrial. The retrial began in November 2001 and was ongoing at the end of the period covered by this report.

While there is no legal requirement for a Christian girl or woman to convert to Islam in order to marry a Muslim (see Section II), conversion to Islam is sometimes used to circumvent the legal prohibition on marriage between the ages of 16 and 21 without the approval and presence of the girl's guardian. Most Christian families would object to a daughter's wish to marry a Muslim, and if a Christian woman marries a Muslim man, the Church excommunicates her. According to the Government, a Christian family whose minor daughter converts to Islam retains guardianship over her, but in practice local authorities sometimes allow transfer to a Muslim custodian, who is likely to grant approval for an underage marriage. The law is silent on the matter of the acceptable age of conversion. Ignorance of the law and social pressure, including the centrality of marriage to a woman's identity, often affect a girl's decision to convert (see Section II). Family conflict and financial pressure also are cited as factors.

Official relations between Christian and Muslim religious figures are amicable, and include reciprocal visits to religious celebrations. Al-Azhar and the Ministry of Awqaf engage in frequent public and private interfaith discussions with Christians of various denominations, both within the country and in other countries. NGO's such as the Coptic Evangelical Organization for Social Services (CEOSS) are active in organizing formal and informal interfaith events; CEOSS held such events in September 2001, February 2002, and May 2002 with the participation of Al-Azhar, the Ministry of Awqaf, and Christian clerics. Private Christian schools admit Muslim students, and religious charities serve both communities.

Anti-Semitic articles and editorials are published in privately owned newspapers and less frequently in the government press, and have increased since the increase of violence in Israel and the occupied territories in late 2000 (see Section II). However, there were no anti-Semitic incidents during the period covered by this report directed at the tiny Jewish community.

On June 17, 2001, Al-Naba' newspaper published an article involving alleged sexual misconduct in a Coptic Orthodox monastery. The article provoked unusual demonstrations by Coptic Christians in Cairo from June 17 to 20, during which demonstrators criticized both the Government and the church leadership for treatment of a number of issues, including discrimination against Christians and the Al-Kush trial. One demonstration at the Coptic Orthodox Church headquarters turned violent, and several demonstrators and police officers were hospitalized with minor injuries. Police detained 22 demonstrators on suspicion of illegal public assembly and damaging public property. All demonstrators were released on bail within a few weeks and none had been prosecuted by the end of the period covered by this report.

The Coptic Orthodox Church and the Government reacted strongly to the story in Al-Naba'. The Coptic Orthodox Church promptly announced that the monk in question had been defrocked 5 years earlier and sued for slander Mamdouh Mahran, publisher and editor-in-chief of al-Naba'. On September 16, 2001, a State Security Emergency Court convicted Mahran of slander and violating Article 98(F) of the Penal Code ("insulting a heavenly religion") and sentenced him to 3 years in prison. In July 2001, the State Council Administrative Court revoked publishing licenses for Al-Naba' and its sister publication Akher Khabar, but in May 2002 a higher Administrative Court overturned the ruling and the newspapers resumed publication.

#### SECTION IV. U.S. GOVERNMENT POLICY

The subject of religious freedom is an important part of the bilateral dialog. The subject has been raised at all levels of government, including by the President, Secretary of State, Assistant Secretary for Near Eastern Affairs, the U.S. Ambassador, and other embassy officials. The Embassy maintains formal contacts with the Office

of Human Rights at the Ministry of Foreign Affairs. In addition the Ambassador has discussed religious freedom with senior government officials and religious leaders. The Embassy also discusses religious freedom issues regularly in contacts with other government officials, including governors and Members of Parliament. The Ambassador also has made public statements supporting interfaith understanding and efforts toward harmony and equality among Egyptians of all faiths. Visiting congressional delegations have raised religious freedom issues during visits with government officials.

The U.S. Embassy maintains an active dialog with the leaders of the Christian and Muslim religious communities, human rights groups, and other activists. The Embassy investigates every complaint of religious discrimination brought to its attention. The Embassy also discusses religious freedom with a range of contacts, including academics, businessmen, and citizens outside of the capital area. Mission officials actively challenge anti-Semitic articles in the media through immediate contacts with editors-in-chief.

The U.S. Mission, including the Department of State and USAID, works to expand human rights and to ameliorate the conditions that contribute to religious strife by promoting economic, social, and political development. U.S. programs and activities support initiatives in several areas directly related to religious freedom.

The Mission is working to strengthen civil society, supporting secular channels and the broadening of a civic culture that promote religious tolerance. In April 2000, USAID funded the Nongovernmental Organization Service Center to provide training, technical assistance, and grants to domestic NGO's. By the end of the period covered by this report, a total of 123 NGO's had received financial assistance from the Center, totaling in value more than \$2 million. In addition the Center has provided training for over 4,300 NGO representatives in the areas of advocacy, internal governance, networking, social development, and management. USAID supports a major effort to improve the administration of justice, and State Department exchange activities promote legal reform and access to justice. The Embassy has nominated participants interested in advocacy for the State Department's International Visitor Program and invited American specialists in this subject to speak in the country.

The U.S. Mission also promotes civic education. The public affairs section of the Embassy supports the development of materials that encourage tolerance, diversity, and understanding of others, in both Arabic-language and English-language curriculums. USAID, in collaboration with the Children's Television Workshop, developed an Egyptian version of the television program Sesame Street, which is designed to reach remote households and has as one of its goals the promotion of tolerance, including among different religions. The program began broadcasting in August 2000; in 2002 household survey data showed that it was reaching more than 90 percent of elementary school-aged children (see Section II). USAID also supports private voluntary organizations that are implementing innovative curriculums in private schools. The public affairs section of the Embassy is leading an effort to increase the professionalism of the press, with an emphasis on balanced and responsible coverage. Finally USAID is working with the Supreme Council of Antiquities to promote the conservation of cultural antiquities, including Islamic, Christian, and Jewish historical sites.

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## IRAN<sup>1</sup>

The Constitution declares that the "official religion of Iran is Islam and the doctrine followed is that of "Ja'fari (Twelver) Shi'ism." The Government restricts freedom of religion.

There was no change in the status of respect for religious freedom during the period covered by this report. Members of the country's religious minorities—including Baha'is, Jews, Christians, and Sufi Muslims—reported imprisonment, harassment, and intimidation based on their religious beliefs. At least four Baha'is were among those still imprisoned for reasons related to their faith, while eight Jews remained in prison after being convicted in 2000 for cooperating with a hostile government, belonging to an illegal organization, and recruiting members in an illegal organization.

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<sup>1</sup>The United States does not have an embassy in Iran. This report draws heavily on non-U.S. Government sources.

Society is accustomed to the presence of non-Muslim communities, some of which predate Islam. However, government actions create a threatening atmosphere for some religious minorities, especially Baha'is, Jews, and evangelical Christians.

The U.S. Government makes clear its objections to the Government's treatment of religious minorities in public statements, support for relevant U.N. and non-governmental organization (NGO) efforts, and diplomatic contacts with other countries.

In October 2001, the Secretary of State designated Iran as a "country of particular concern" under the International Religious Freedom Act, for particularly severe violations of religious freedom. This action followed similar designations in September 1999 and September 2000.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 631,663 square miles, and its population is approximately 66 million. The population is approximately 99 percent Muslim, of which 89 percent are Shi'a and 10 percent Sunni (mostly Turkomen, Arabs, Baluchs, and Kurds living in the southwest, southeast, and northwest). Sufi Brotherhoods are popular, but there are no reliable figures available regarding the size of the Sufi population.

Baha'is, Christians, Zoroastrians, Mandaeans, and Jews constitute less than 1 percent of the population. The largest non-Muslim minority is the Baha'i community, which has an estimated 300,000 to 350,000 adherents throughout the country. Estimates on the size of the Jewish community vary from 20,000 to 30,000. These figures represent a substantial reduction from the estimated 75,000 to 80,000 Jews who resided in the country prior to the 1979 Iranian Revolution. The Government estimates the Christian community to number approximately 115,000 to 120,000 persons; however, the U.N. Special Representative (UNSR) used the figure of 300,000 in a 2001 report. The majority of the Christian population are ethnic Armenians and Assyro-Chaldeans. There also are Protestant denominations, including evangelical churches. The UNSR reported that Christians are emigrating at an estimated rate of 15,000 to 20,000 per year. The Mandaeans, a community whose religion draws on pre-Christian gnostic beliefs, number approximately 5,000 to 10,000 persons, with members residing primarily in Khuzestan in the southwest.

The Government figures reported by the United Nations in 1996 place the size of the Zoroastrian community at approximately 35,000 adherents. Zoroastrian groups cite a larger figure of approximately 60,000, according to the same U.N. report. Zoroastrians mainly are ethnic Persians and are concentrated in the cities of Tehran, Kerman, and Yazd. Zoroastrianism was the official religion of the pre-Islamic Sassanid Empire and thus played a central role in the country's history.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Government restricts freedom of religion. The Constitution declares that the "official religion of Iran is Islam and the doctrine followed is that of Ja'fari (Twelver) Shi'ism." It also states that "other Islamic denominations are to be accorded full respect," and designates Zoroastrians, Jews, and Christians as the only "recognized religious minorities," which, "within the limits of the law," are permitted to perform their religious rites and ceremonies and "to act according to their own canon in matters of personal affairs and religious education." Although the Constitution states that "the investigation of individuals' beliefs is forbidden" and that "no one may be molested or taken to task simply for holding a certain belief," the adherents of religions not specifically protected under the Constitution do not enjoy freedom of activity. This situation most directly affects adherents of the Baha'i Faith. The Government regards the Baha'i community, whose faith originally derives from a strand of Islam, as a misguided or wayward "sect." The Government fuels anti-Baha'i and anti-Jewish sentiment in the country for political purposes. Government officials have stated that the Baha'is "are not a religious minority, but a political organization which was associated with the Shah's regime, is against the Iranian Revolution and engages in espionage activities." However, government officials reportedly nonetheless have stated that, as individuals, all Baha'is are entitled to their beliefs and are protected under other articles of the Constitution as citizens.

The central feature of the country's Islamic republican system is rule by a "religious jurisconsult." The Supreme Leader of Islamic Republic controls the most important levers of power; he is chosen by a group of 83 religious scholars. All acts of the Majles (legislative body) must be reviewed for conformity with Islamic law and principles by the Council of Guardians, which is composed of six clerics ap-

pointed by the Supreme Leader and six Muslim jurists (legal scholars) nominated by the Head of the Judiciary and elected by parliament.

Religious activity is monitored closely by the Ministry of Islamic Culture and Guidance and by the Ministry of Intelligence and Security (MOIS). Adherents of recognized religious minorities are not required to register individually with the Government; however, their community, religious, and cultural events and organizations, including schools, are monitored closely. Registration of Bahai's is a police function. Evangelical Christian groups have been pressured by government authorities to compile and submit membership lists for their congregations, but evangelicals have resisted this demand. Non-Muslim owners of grocery shops are required to indicate their religious affiliation on the fronts of their shops.

In a March 2002 meeting at the Vatican with Pope John Paul II, Speaker of the Majles Mahdi Karrubi called for the expansion of Tehran-Vatican ties and said that dialog among religions can promote the restoration of peace and the elimination of violence in the world. In June 2002, Mohammad Khamenei, brother of the Supreme Leader, told the Pope in a Vatican meeting that dialog among religions was an ideal means for establishing global peace and justice.

#### *Restrictions on Religious Freedom*

Religious minorities, by law and practice, are barred from being elected to a representative body (except to the seats in the Majles reserved for minorities, as provided for in the Constitution) and from holding senior government or military positions. Members of religious minorities are allowed to vote, but they may not run for President. All religious minorities suffer varying degrees of officially sanctioned discrimination, particularly in the areas of employment, education, and housing.

Members of religious minorities are barred from becoming public school principals. Applicants for public sector employment are screened for their adherence to Islam. The law stipulates penalties for government workers who do not observe "Islam's principles and rules." Religious minorities may not serve in the judiciary or the security services. The Constitution states that "the Army of the Islamic Republic of Iran must be an Islamic army, i.e., committed to an Islamic ideology and the people, and must recruit into its service individuals who have faith in the objectives of the Islamic Revolution and are devoted to the cause of achieving its goals." Bahai's are prohibited from government employment.

University applicants are required to pass an examination in Islamic theology, which limits the access of most religious minorities to higher education, although all public school students, including non-Muslims, must study Islam. Applicants for public sector employment similarly are screened for their knowledge of Islam.

The Government generally allows recognized religious minorities to conduct the religious education of their adherents. This includes separate and privately funded Zoroastrian, Jewish, and Christian schools but does not include Baha'i schools. The Ministry of Education, which imposes certain curriculum requirements, supervises these schools. With few exceptions, the directors of such private schools must be Muslim. Attendance at the schools is not mandatory for recognized religious minorities. All textbooks used in course work, including religious texts, must be approved for use by the Ministry of Education. Religious texts in non-Persian languages require approval by the authorities for use. This requirement imposes sometimes significant translation expenses on minority communities.

Recognized religious minorities may provide religious instruction in non-Persian languages but often come under pressure from the authorities when conducting such instruction in Persian. In particular evangelical Christian and Jewish communities suffer harassment and arrest by authorities for the printing of materials or delivery of sermons in Persian.

Recognized religious minorities are allowed by the Government to establish community centers and certain cultural, social, sports, or charitable associations that they finance themselves. This does not apply to the Baha'i community, which since 1983 has been denied the right to assemble officially or to maintain administrative institutions. Because the Baha'i Faith has no clergy, the denial of the right to form such institutions and elect officers threatens its existence in the country.

Religious minorities suffer discrimination in the legal system, receiving lower awards than Muslims in injury and death lawsuits, and incurring heavier punishments. Muslim men are free to marry non-Muslim women but marriages between Muslim women and non-Muslim men are not recognized.

The Government is highly suspicious of any proselytizing of Muslims by non-Muslims and can be harsh in its response, in particular against Bahai's and evangelical Christians.

The Government does not ensure the right of citizens to change or renounce their religious faith. Apostasy, specifically conversion from Islam, can be punishable by death.

The Baha'i Faith originated in Iran during the 1840's as a reformist movement within Shi'a Islam. Initially it attracted a wide following among Shi'a clergy. The political and religious authorities of that time joined to suppress the movement, and since then the hostility of the Shi'a clergy to the Baha'i Faith has remained strong. Baha'is are considered apostates because of their claim to a valid religious revelation subsequent to that of Mohammed. The Baha'i Faith is defined by the Government as a political "sect," historically linked to the Pahlavi regime and, hence, counterrevolutionary. Historically at risk in the country, Baha'is often have suffered increased levels of harassment and abuse during times of political unrest.

Baha'is may not teach or practice their faith or maintain links with coreligionists abroad. The fact that the Baha'i world headquarters (established by the founder of the Baha'i Faith in the 19th century, in what was then Ottoman-controlled Palestine) is situated in what is now the state of Israel, exposes Baha'is to government charges of "espionage on behalf of Zionism," in particular when caught communicating with or sending monetary contributions to the Baha'i headquarters.

Broad restrictions on Baha'is appear to be aimed at destroying them as a community. Baha'is repeatedly have been offered relief from mistreatment in exchange for recanting their faith. Baha'i cemeteries, holy places, historical sites, administrative centers, and other assets were seized shortly after the 1979 revolution. None of the properties have been returned, and many have been destroyed.

Baha'is are not allowed to bury and honor their dead in keeping with their religious tradition. They are permitted access only to areas of wasteland that the Government designates for their use, and are not allowed to mark the graves. Many historic Baha'i gravesites have been desecrated or destroyed. In 2000 in the city of Abadeh, a Revolutionary Guard officer bulldozed a Baha'i cemetery with 22 graves.

In what appeared to be a hopeful development, in 2002 the Government offered the Tehran community a piece of land for use as a cemetery. However, the land was in the desert, with no access to water, making it impossible to perform Baha'i mourning rituals. In addition the Government stipulated that no markers be put on individual graves and that no mortuary facilities be built on the site, making it impossible to perform a proper burial.

Baha'i group meetings and religious education, which often take place in private homes and offices, are curtailed severely. Public and private universities continue to deny admittance to Baha'i students, a particularly demoralizing blow to a community that traditionally has placed a high value on education. Denial of access to higher education appears aimed at the eventual impoverishment of the Baha'i community.

Baha'is regularly are denied compensation for injury or criminal victimization. Government authorities claim that only Muslim plaintiffs are eligible for compensation in these circumstances.

A 1993 law prohibits government workers from membership in groups that deny the "divine religions," terminology that the Government uses to label members of the Baha'i Faith. The law also stipulates penalties for government workers who do not observe "Islamic principles and rules."

In 1993 the UNSR reported the existence of a government policy directive regarding the Baha'is. According to the directive, the Supreme Revolutionary Council instructed government agencies to block the progress and development of the Baha'i community, expel Baha'i students from universities, cut Baha'i links with groups outside the country, restrict employment of Baha'is, and deny Baha'is "positions of influence," including in education. The Government claims that the directive is a forgery. However, it appears to be an accurate reflection of current government practice designed to eradicate slowly the Baha'i community.

In September 2001, the Ministry of Justice issued a report that reiterated that government policy continued to aim at the eventual elimination of the Baha'is as a community. It stated in part that Baha'is would only be permitted to enroll in schools if they did not identify themselves as Baha'is, and that Baha'is preferably should be enrolled in schools that have a strong and imposing religious ideology. The report also stated that Baha'is must be expelled from universities, either in the admission process or during the course of their studies, once it becomes known that they are Baha'is.

While in recent years the Government has eased some restrictions, thereby enabling Baha'is to obtain food-ration booklets and send their children to public elementary and secondary schools, the prohibition against the admission of Baha'is to universities remains. Thousands of Baha'is dismissed from government jobs in the early 1980's receive no unemployment benefits and have been required to repay the Gov-

ernment for salaries or pensions received from the first day of employment. Those unable to do so face prison sentences.

Over the past several years, the Government has taken some positive steps in recognizing the rights of Baha'is, as well as other religious minorities. In November 1999, President Khatami publicly stated that no one in the country should be persecuted because of his or her religious beliefs. He added that he would defend the civil rights of all citizens, regardless of their beliefs or religion. Subsequently the Expediency Council approved the "Right of Citizenship" bill, affirming the social and political rights of all citizens and their equality before the law. In February 2000, following approval of the bill, the head of the judiciary issued a circular letter to all registry offices throughout the country that provided for any couple to be registered as husband and wife without being required to state their religious affiliation. The measure effectively permits the registration of Baha'i marriages in the country. Previously Baha'i marriages were not recognized by the Government, leaving Baha'i women open to charges of prostitution. Thus children of Baha'i marriages were not recognized as legitimate and therefore denied inheritance rights.

While Jews are a recognized religious minority, allegations of official discrimination are frequent. The Government's anti-Israel policies, along with a perception among radical Muslim elements that Jewish citizens support Zionism and the State of Israel, create a threatening atmosphere for the small Jewish community. Jewish leaders reportedly are reluctant to draw attention to official mistreatment of their community due to fear of government reprisal.

In principle with some exceptions, there appears to be little restriction or interference with the religious practice of Judaism. However, education of Jewish children has become more difficult in recent years. The Government reportedly allows the teaching of Hebrew, recognizing that it is necessary for Jewish religious practice. However, it strongly discourages teachers from distributing Hebrew texts to students, in practice making it difficult to teach the language. Moreover, the Government has required that several Jewish schools remain open on Saturdays, the Jewish Sabbath, in conformity with the schedule of other schools in the school system. Because working or attending school on the Sabbath violates Jewish religious law, this requirement has made it difficult for observant Jews to both attend school and adhere to important tenets of their religion.

Jews are permitted to obtain passports and to travel outside the country, but often are denied the multiple-exit permits that normally are issued to citizens. With the exception of certain business travelers, Jews are required by the authorities to obtain clearance (and pay additional fees) before each trip abroad. The Government appears concerned about the emigration of Jews and permission generally is not granted for all members of a Jewish family to travel outside the country at the same time. Jews were removed progressively from government positions after the 1979 revolution.

According to the U.N. High Commission for Refugees Background Paper on Iran, the Mandaean are regarded as Christians, and are included among the country's three recognized religious minorities. However, Mandaean regard themselves not as Christians, but as adherents of a religion that predates Christianity in both belief and practice. Mandaean enjoyed official support as a distinct religion prior to the revolution, but their legal status as a religion since then has been the subject of debate in the Majles and never has been clarified. The small community faces discrimination similar to that faced by the country's other religious minorities.

Although Sunni Muslims are accorded full respect under the terms of the Constitution, some groups claim to be discriminated against by the Government. In particular Sunnis cite the lack of a Sunni mosque in Tehran, and claim that authorities refuse to authorize construction of a Sunni place of worship in the capital. Sunnis also have accused the state broadcasting company of airing programming insulting to Sunnis.

Sufi organizations outside the country remain concerned about repression by the authorities of Sufi religious practices.

Shortly after the 1979 revolution, the Government repealed the Family Protection Law, a hallmark bill that was adopted in 1967, providing women with increased rights in the home and workplace, and replaced it with a legal system based largely on Shari'a (Islamic law). The Government enforces gender segregation in most public spaces, and prohibits women from interacting openly with unmarried men or men not related to them. Women must ride in a reserved section on public buses and enter public buildings, universities, and airports through separate entrances. Women are prohibited from attending male sporting events, although this restriction does not appear to be enforced universally. While the enforcement of conservative Islamic dress codes has varied with the political climate since the death of Ayatollah Khomeini in 1989, what women wear in public is not entirely a matter

of personal choice. Women are subject to harassment by the authorities if their dress or behavior is considered inappropriate and may be sentenced to flogging or imprisonment for such violations. The law prohibits the publication of pictures of uncovered women in the print media, including pictures of foreign women. There are penalties for failure to observe Islamic dress codes at work.

In 1998 the Majles passed legislation that mandated segregation of the sexes in the provision of medical care. The bill provided for women to be treated only by female physicians and men by male physicians, which raised questions about the quality of care that women could receive under such a regime, considering the current imbalance between the number of trained and licensed male and female physicians and specialists.

Muslim women may not marry non-Muslim men. The testimony of a woman is worth only half that of a man in court. A married woman must obtain the written consent of her husband before traveling outside the country.

In October 2000, the Majles passed a bill to raise the legal age of marriage for women from 9 to 15. However, in November 2000, the Council of Guardians rejected the bill as contrary to Islamic law, although even under the current law, marriage at the minimum age is rare. All women, no matter the age, must have the permission of their father or a living male relative in order to marry. The law allows for the practice of *Siqeh*, or temporary marriage, a Shi'a custom in which a woman or a girl may become the wife of a married or single Muslim male after a simple and brief religious ceremony. The *Siqeh* marriage may last for a night or as little as 30 minutes. The bond is not recorded on identification documents, and, according to Islamic law, men may have as many *Siqeh* wives as they wish. Such wives are not granted rights associated with traditional marriage.

Under legislation passed in 1983, women have the right to divorce, and regulations promulgated in 1984 substantially broadened the grounds on which a woman may seek a divorce. However, a husband is not required to cite a reason for divorcing his wife. In 1986 the Government issued a 12-point "contract" to serve as a model for marriage and divorce, which limits the privileges accorded to men by custom and traditional interpretations of Islamic law. The model contract also recognized a divorced woman's right to a share in the property that couples acquire during their marriage and to increased alimony rights. Women who remarry are forced to give up custody of children from earlier marriages to the child's father. In 1998 the Majles passed a law that granted custody of minor children to the mother in certain divorce cases in which the father is proven unfit to care for the child. The measure was enacted because of the complaints of mothers who had lost custody of their children to former husbands with drug addictions and criminal records.

#### *Abuses of Religious Freedom*

According to the National Spiritual Assembly of the Baha'is of the United States, since 1979 more than 200 Baha'is have been killed and 15 have disappeared and are presumed dead. The Government continued to imprison and detain Baha'is based on their religious beliefs.

The Government appears to adhere to a practice of keeping a small number of Baha'is in arbitrary detention, some at risk of execution, at any given time. There were four Baha'is reported to be in prison for practicing their faith at the end of the period covered by this report, two facing life sentences and two facing sentences of 15 years. In addition the Government appears to engage in harassment of the Baha'i community by arresting Baha'is arbitrarily, charging them, and then releasing them, often without dropping the charges against them. Those with charges still pending against them fear arrest at any time.

Two Baha'is, Sirus Zabihi-Moghaddam and Hedayat Kashefi-Najafabadi, were tried in 1998 and later sentenced to death by a revolutionary court in Mashad for practicing their faith. In 2000 the sentences were reduced to 7 and 5 years respectively. Kashefi-Najafabadi was released in October 2001, after serving 4 years of his sentence. Zabihi-Moghaddam, who originally was arrested in November 1997, was released in June 2002.

The Government continued to imprison and detain Baha'is based on their religious beliefs. Manuchehr Khulusi was arrested in June 1999 while visiting fellow Baha'is in the town of Birjand, and was imprisoned until his release in May 2000. During his imprisonment, Khulusi was interrogated, beaten, held in solitary confinement, and denied access to his lawyer. The charges brought against him remain unknown, but they were believed to be related to his faith. The Islamic Revolutionary Court in Mashhad held a 2-day trial in September 1999 and sentenced Khulusi to death in February 2000. Despite Khulusi's release, it is unclear if the conviction and death sentence against him still stand.

The property rights of Baha'is generally are disregarded. Since 1979 large numbers of private and business properties belonging to Baha'is have been confiscated. During the period covered by this report, 14 Baha'i homes were seized and handed over to an agency of Supreme Leader Khamene'i. Authorities reportedly confiscated Baha'i properties in Kata and forced several families to leave their homes and farmlands. Authorities also imprisoned some farmers, and did not permit others to harvest their crops. In 2000 authorities in Tehran, Isfahan, and Shiraz reportedly also confiscated eight buildings belonging to Baha'is. In one instance, a woman from Isfahan who legally traveled abroad found that her home had been confiscated when she returned home. During the period covered by the report, the Government also seized private homes in which Baha'i youth classes were held despite the owners having proper ownership documents. In 1999 three Baha'i homes in Yazd and one in Arbakan were confiscated because their owners were Baha'is. The Government's seizure of Baha'i personal property, as well as its denial of Baha'i access to education and employment, are eroding the economic base of the Baha'i community.

In 1998 after a nationwide raid of more than 500 Baha'i homes and offices, as well as numerous arrests, the authorities closed the Baha'i Institute of Higher Learning. Also known as the "Open University," the Institute was established by the Baha'i community shortly after the revolution to offer higher educational opportunities to Baha'i students who had been denied access to the country's high schools and universities. The Institute remains closed.

It has become somewhat easier for Baha'is to obtain passports in order to travel abroad. In addition some Iranian embassies abroad do not require applicants to state a religious affiliation. In such cases, it is easier for Baha'is to renew passports. Nevertheless, in February 2001, the Government denied visas to foreigners in the Baha'i delegation to the Asia-Pacific Regional Preparatory Conference for the World Conference on Racism, held in Tehran. The delegation was composed of American, Japanese, South Korean, and Indian nationals.

The authorities particularly are vigilant in curbing what is perceived as proselytizing activities by evangelical Christians whose services are conducted in Persian. Government officials have reacted to such activity by closing evangelical churches and arresting converts. Members of evangelical congregations have been required to carry membership cards, photocopies of which must be provided to the authorities. Worshipers are subject to identity checks by authorities posted outside congregation centers. Meetings for evangelical services have been restricted by the authorities to Sundays, and church officials have been ordered to inform the Ministry of Information and Islamic Guidance before admitting new members to their congregations.

Because conversion of a Muslim to a non-Muslim religion is considered apostasy under Shari'as enforced in the country, non-Muslims may not proselytize Muslims without putting their own lives at risk. Evangelical church leaders are subject to pressure from authorities to sign pledges that they would not evangelize Muslims or allow Muslims to attend church services.

Mistreatment of evangelical Christians continued during the period covered by this report. Christian groups have reported instances of government harassment of churchgoers in Tehran, in particular against worshipers at the Assembly of God congregation in the capital. Instances of harassment cited included conspicuous monitoring outside Christian premises by Revolutionary Guards to discourage Muslims or converts from entering church premises, and demands for the presentation of the identity papers of worshipers inside.

Some Jewish groups outside the country cite an increase in anti-Semitic propaganda in the official and semiofficial media as adding to the pressure felt by the Jewish community. One example cited is the periodic publication of the anti-Semitic and fictitious "Protocols of the Elders of Zion," both by the Government and by periodicals associated with hardline elements of the regime. In 1986 the Iranian Embassy in London was reported to have published and distributed the "Protocols of the Elders of Zion" in English. The Protocols also were published in serial form in the country in 1994 and again in January 1999. On the latter occasion, they were published in Sobh, a conservative monthly publication reportedly aligned with the security services.

In February and March 1999, 13 Jews were arrested in the cities of Shiraz and Isfahan. Among the group were several prominent rabbis, teachers of Hebrew, and their students. The charges centered on alleged acts of espionage on behalf of Israel, an offense punishable by death. The 13 were detained for over a year before trial, largely in solitary confinement, without official charges or access to lawyers. In April 2000, the defendants were appointed lawyers, and a closed trial commenced in a revolutionary court in Shiraz. Human rights groups and governments around the world criticized the lack of due process in the proceedings. The UNSR characterized the proceedings as "in no way fair." On July 1, 2000, 10 of the 13, along with

2 Muslim defendants, were convicted on charges of illegal contact with Israel, conspiracy to form an illegal organization, and recruiting agents. They received prison sentences ranging from 4 to 13 years. Three were acquitted. The lawyers of those convicted filed an appeal and on September 21, 2000, an appeals court overturned the convictions for forming an illegal organization and recruiting agents, but upheld the convictions for illegal contacts with Israel. Their sentences were reduced to between 2 and 9 years' imprisonment. One of the 10 convicted was released in February 2001 upon completion of his prison term. A second was released at the end of his prison term in January 2002.

Jewish groups outside the country noted that the March 1999 arrest of the 13 Jewish individuals coincided with an increase in anti-Semitic propaganda in newspapers and journals associated with hardline elements of the Government. Since the beginning of the trial, Jewish businesses in Tehran and Shiraz have been targets of vandalism and boycotts, and Jews reportedly have suffered personal harassment and intimidation.

In 2002 the group Families of Iranian Jewish Prisoners (FIJP) published the names of 12 Iranian Jews who disappeared while attempting to escape from Iran in the 1990's. Babak Shaoulia Tehrani (born in 1977) and Shaheen Nikkhoo (1974) disappeared on June 8, 1994; Behzad (Kamran) Salari (1973) and Farhad Ezzati (1972) on September 21, 1994; Homayoun Balazadeh (1958), Omid Solouki (1979), Reuben Cohan-Masliah (1977), and Ibrahim Cohan-Masliah (1978) on December 8, 1994; Syrus Gaharamany (1939), Ibrahim Gaharamany (1937), Norallah Rbizadeh (Felfeli) (1952) on February 12, 1997; and Es-haagh Hassid (Hashid) (1933) on February 15, 1997. Hassid was last seen in Khorramabad Province. The other 11 all disappeared in Baluchistan Province. Their families have had no contact with them since the dates of their disappearance, but reported anecdotal evidence that some of them are alive and being held in prison. The Government never has provided any information regarding their whereabouts and has not charged any of them with crimes. FIJP believes that the Government has dealt with these cases differently than other such cases because the 12 persons involved are Jewish.

Numerous Sunni clerics have been killed in recent years, some allegedly by government agents.

There were no reports of government harassment of the Zoroastrian community during the period covered by this report.

The Government restricts the movement of several senior religious leaders, some of whom have been under house arrest for years, and often charges members of religious minorities with crimes such as drug offenses, "confronting the regime," and apostasy.

The Special Clerical Court (SCC) system, which was established in 1987 to investigate offenses and crimes committed by clerics, and which is overseen directly by the Supreme Leader, is not provided for in the Constitution, and operates outside the domain of the judiciary. In particular critics alleged that the clerical courts were used to prosecute certain clerics for expressing controversial ideas and for participating in activities outside the area of religion, including journalism.

During the latter part of 2000, a Special Clerical Court began the trial of Hojatolislam Hassan Yousefi Eshkevari, a cleric who participated in a conference in Berlin on Iran, on charges of apostasy, "corruption on earth," "declaring war on God," and "denial of basic religious principles," which potentially carry the death penalty. Eshkevari has called for more liberal interpretations of Islamic law in certain areas. The verdict was not announced, but, according to Amnesty International, Eshkevari widely was reported to have been sentenced to death. In November 2001, following domestic and international criticism, his sentence reportedly was reduced to 30 months' imprisonment and removal of his status as a cleric. In November 1999, former Interior Minister and Vice President Abdollah Nouri was sentenced by a branch of the SCC to a 5-year prison term for allegedly publishing "anti-Islamic" articles, insulting government officials, promoting friendly relations with the United States, and providing illegal publicity to dissident cleric Ayatollah Hossein Ali Montazeri in the pages of *Khordad*, a newspaper that was established by Nouri in late 1998 and closed at the time of his arrest. Nouri used the public trial to attack the legitimacy of the SCC.

In January 2001, judicial authorities closed *Kiyan*, a 10-year-old independent journal specializing in religious and philosophical issues. The Tehran General Court ordered the closure. The Judge stated that *Kiyan* had "published lies, disturbed public opinion and insulted sacred religion."

Laws based on religion were used to stifle freedom of expression. Independent newspapers and magazines have been closed, and leading publishers and journalists were imprisoned on vague charges of "insulting Islam" or "calling into question the Islamic foundation of the Republic." In November 2000, a Revolutionary Court

began the trials of 17 writers, intellectuals, and political figures who took part in an April 2000 conference in Berlin regarding the implications of the February 2000 Majles elections. In January 2001, verdicts on charges including “insulting Islam” were announced after unfair and closed trials. At least eight of the defendants were sentenced to custodial sentences. Charges were reduced on appeal in December 2001. Some individuals were acquitted, some sentences were reduced, and other sentences were converted to fines.

#### *Forced Religious Conversions*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States. However, a child born to a Muslim father automatically is considered a Muslim.

### SECTION III. SOCIETAL ATTITUDES

The continuous activity of the country’s pre-Islamic, non-Muslim communities, such as Zoroastrians, Jews, and Christians, has accustomed the population to the presence of non-Muslims in society. However, government actions create a threatening atmosphere for some religious minorities.

The Jewish community has been reduced to less than one-half of its prerevolutionary size. Some of this emigration is connected with the larger, general waves of departures following the establishment of the Islamic Republic, but some also stems from continued perceived anti-Semitism on the part of the Government and within society.

The Government’s anti-Israel policies and the trial of the 13 Jews in 2000, along with the perception among some of the country’s radicalized elements that Iranian Jews support Zionism and the State of Israel, created a threatening atmosphere for the Jewish community (see Section II). Many Jews have sought to limit their contact with or support for the State of Israel out of fear of reprisal. Recent anti-American and anti-Israeli demonstrations have included the denunciation of “Jews,” as opposed to the past practice of denouncing only “Israel” and “Zionism,” adding to the threatening atmosphere for the community.

Sunni Muslims encounter religious discrimination at the local level, and there were reports of discrimination against practitioners of the Sufi tradition during the period covered by this report.

### SECTION IV. U.S. GOVERNMENT POLICY

The United States has no diplomatic relations with Iran and thus cannot raise directly with the Government the restrictions the Government places on religious freedom and other abuses that it commits against adherents of minority religions. The U.S. Government makes its position clear in public statements, support for relevant U.N. and NGO efforts, and diplomatic contacts with other countries.

From 1982 to 2001, the U.S. Government cosponsored a resolution each year regarding the human rights situation in Iran offered by the European Union at the annual meeting of the U.N. Commission on Human Rights. It passed every year until 2002, when the United States did not sit on the Commission and the resolution failed passage by one vote. The United States has supported a similar resolution offered each year during the U.N. General Assembly. The U.S. Government has supported strongly the work of the UNSR on Human Rights for Iran and called on the Iranian Government to grant him admission and allow him to conduct his research. (He has been denied entry visas since 1996.)

The U.S. State Department spokesman on numerous occasions has addressed the situation of the Baha’i and Jewish communities. The U.S. Government has encouraged other governments to make similar statements and has urged those governments to raise the issue of religious freedom in discussions with the Iranian Government.

In October 2001, the Secretary of State again designated Iran as a “country of particular concern” under the International Religious Freedom Act for particularly severe violations of religious freedom. The Secretary of State similarly had designated Iran in September 1999 and in October 2000.

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## IRAQ

The Interim Constitution provides for individual freedom of religion, provided that it does not violate “morality and public order;” however, the Government severely

limits freedom of religion in practice, represses the Shi'a religious leadership, and seeks to exploit religious differences for political purposes. Islam is the official state religion. Other religions are practiced in the country, but the Government exercises repressive measures against any religious groups or organizations that are deemed not to provide full political and social support.

There was no change in the status of respect for religious freedom during the period covered by this report. Although Shi'a Arabs are the largest religious group, Sunni Arabs traditionally have dominated economic and political life. Sunni Arabs are at a distinct advantage in all areas of secular life. The Government also severely restricts or bans outright many Shi'a religious practices. The Government for decades has conducted a brutal campaign of killings, summary execution, arbitrary arrest, and protracted detention against the religious leaders and followers of the majority Shi'a Muslim population and has sought to undermine the identity of minority Christian (Assyrian and Chaldean) and Yazidi groups. The regime systematically has killed senior Shi'a clerics, desecrated Shi'a mosques and holy sites, interfered with Shi'a religious education, and prevented Shi'a adherents from performing their religious rites.

Shi'a Arabs, the religious majority of the population, long have been disadvantaged economically, politically, and socially. Christians also report various abuses including repression of political rights.

The United States has no diplomatic relations with Iraq and thus is unable to raise directly with the Government the problems of severe restrictions on religious freedom and other human rights abuses. However, the U.S. Government makes its position clear in public statements and in diplomatic contacts with other states.

In 2001 the Secretary of State designated Iraq a country of particular concern under the International Religious Freedom Act for its severe violations of religious freedom. Iraq was similarly designated in 1999 and 2000.

#### SECTION I. RELIGIOUS DEMOGRAPHY

While a precise statistical breakdown is impossible to ascertain because of likely inaccuracies in the latest census (conducted in 1997), according to best estimates, 97 percent of the population of 22 million persons are Muslim. Shi'a Muslims—predominantly Arab, but also including Turkomen, Faili Kurds, and other groups—constitute a 60 to 65 percent majority. Sunni Muslims make up 32 to 37 percent of the population (approximately 18 to 20 percent are Sunni Kurds, 12 to 15 percent Sunni Arabs, and the remainder Sunni Turkomen). The remaining approximately 3 percent of the overall population consist of Christians (Assyrians, Chaldeans, Roman Catholics, and Armenians), Yazidis, Mandaeans, and a small number of Jews.

Shi'a, although predominantly located in the south, also are a majority in Baghdad and have communities in most parts of the country. Sunnis form the majority in the center of the country and in the north.

Shi'a and Sunni Arabs are not ethnically distinct. Shi'a Arabs have supported an independent Iraq alongside their Sunni brethren since the 1920 Revolt; many Shi'a joined the Ba'ath Party and Shi'a formed the backbone of the Iraqi Army in the 1980–88 Iran-Iraq War.

Assyrians and Chaldeans are considered by many to be distinct ethnic groups, as well as the descendants of some of the earliest Christian communities. The communities speak a distinct language (Syriac). Although they do not define themselves as Arabs, the Government defines Assyrians and Chaldeans as such, evidently to encourage them to identify with the Sunni-Arab dominated regime. Christians are concentrated in the north and in Baghdad.

Yazidis are a syncretistic religious group (or a set of several groups). Many Yazidis consider themselves to be ethnically Kurdish, although some would define themselves as both religiously and ethnically distinct from Muslim Kurds. However, the Government, without any historical basis, has defined the Yazidis as Arabs. Yazidis predominately reside in the north of the country.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Interim Constitution provides for freedom of religion; however, the Government severely restricts this right in practice. Islam is the official state religion. The Interim Constitution does not provide for the recognition of Assyrians, Chaldeans, or Yazidis.

The Government's registration requirements for religious organizations are unknown. New political parties must be based in Baghdad and are prohibited from having any ethnic or religious character. The Government does not recognize polit-

ical organizations that have been formed by Shi'a Muslims or Assyrian Christians. These groups continued to attract support despite their illegal status. There are religious qualifications for government office; candidates for the National Assembly, for example, "must believe in God."

There are no Shari'a (Islamic law) courts as such. Civil courts are empowered to administer Islamic law in cases involving personal status, such as divorce and inheritance.

In the north, an Islamic group called the Jund al-Islam seized control of several villages near Halabja during the period covered by this report, and established an administration governed under Shari'a. The group is alleged to have ties to the al-Qaida network and many from the group had spent time in Afghanistan while it was under the control of the Taliban. The group changed its name to Ansar al-Islam in December 2001. The group continued to control a small section of the northern part of the country along the Iranian border at the end of the period covered by this report. Local authorities claim that the group seeks to expand the area under its control by undermining the local administration, with the ultimate goal of imposing rule under Islamic law over all of the northern part of the country.

The group restricted non-Islamic worship, imposed severe restrictions on public behavior, and administered all civil affairs under an extreme interpretation of Islamic laws.

#### *Restrictions on Religious Freedom*

Although Shi'a Arabs are the largest religious group, Sunni Arabs traditionally have dominated economic and political life. Sunni Arabs are at a distinct advantage in all areas of secular life, be it civil, political, military, or economic.

The following government restrictions on religious rights remained in effect throughout the period covered by this report: restrictions on communal Friday prayer by Shi'a; restrictions on Shi'a mosque libraries loaning books; a ban on the broadcast of Shi'a programs on government-controlled radio or television; a ban on the publication of Shi'a books, including prayer books and guides; a ban on many funeral processions other than those organized by the Government; a ban on other Shi'a funeral observances, such as gatherings for Koran reading; and the prohibition of certain processions and public meetings commemorating Shi'a holy days. The Government requires that speeches by Shi'a imams in mosques be based upon government-provided material that attacks fundamentalist trends.

Shi'a groups report capturing documents from the security services during the 1991 uprising that listed thousands of forbidden Shi'a religious writings. Since 1991 security forces have been encamped in the shrine to Imam Ali in Najaf, one of Shi'a Islam's holiest sites, and at the city's Shi'a theological schools. The shrine was closed for "repairs" for approximately 2 years after the 1991 uprising. The adjoining al-Khathra mosque, which was closed in 1994, has remained closed since. The closure coincided with the death of Ayatollah Sayed Mohammed Taqi al-Khoei, who was killed in what observers believe was a staged car accident; before his death, Ayatollah al-Khoei led prayers in the al-Khathra mosque.

In June 1999, several Shi'a opposition groups reported that the Government had instituted a program in the predominantly Shi'a districts of Baghdad that uses food ration cards to restrict where individuals may pray. The ration cards, part of the U.N. oil-for-food program, reportedly are checked when the bearer enters a mosque and are printed with a notice of severe penalties for those who attempt to pray at an unauthorized location. Shi'a expatriates who reported this policy believe that it is aimed not only at preventing unauthorized religious gatherings of Shi'a, but at stopping Shi'a adherents from attending Friday prayers in Sunni mosques, a practice that many pious Shi'a have turned to because their own mosques remain closed. The Ministry of Endowments and Religious Affairs monitors places of worship, appoints the clergy, approves the building and repair of all places of worship, and approves the publication of all religious literature.

Assyrian religious organizations have claimed that the Government applies apostasy laws in a discriminatory fashion. Assyrians are permitted to convert to Islam, whereas Muslims are forbidden to convert to Christianity.

The Government consistently politicizes and interferes with religious pilgrimages, both of Iraqi Muslims who wish to make the Hajj to Mecca and Medina and of Iraqi and non-Iraqi Muslim pilgrims who travel to holy sites within the country. For example, in 1998 the U.N. Sanctions Committee offered to disburse vouchers for travel and expenses to pilgrims making the Hajj; however, the Government rejected this offer. In 1999 the Sanctions Committee offered to disburse funds to cover Hajj-related expenses via a neutral third party; the Government again rejected the offer. Following the December 1999 passage of U.N. Security Council Resolution 1284, the Sanctions Committee again sought to devise a protocol to facilitate the payment for

individuals making the journey. The Sanctions Committee proposed to issue \$250 in cash and \$1,750 in travelers checks to each individual pilgrim to be distributed at the U.N. office in Baghdad in the presence of both U.N. and Iraqi officials. The Government again declined and, consequently, no Iraqi pilgrims were able to take advantage of the available funds or, in 2000, of the permitted flights. The Government also has attempted to use pilgrimages to circumvent sanctions for its own financial benefit. In 2001 the Government continued to insist that U.N.-offered funds for Hajj pilgrims be deposited in the government-controlled central bank and placed under the control of government officials for disbursement rather than given to the pilgrims.

Twice each year—on the 10th day of the Muslim month of Muharram and 40 days later in the month of Safar—Shi'a pilgrims from throughout the country and around the world seek to commemorate the death of the Imam Hussein in the city of Karbala. In past years, the Government has denied visas to many foreign pilgrims hoping to come for the Ashura. For example, in 1999 the Government reportedly charged foreign Shi'a pilgrims \$900 for bus passage and food from Damascus to Karbala, a trip that normally would cost about \$150.

The Government does not permit education in languages other than Arabic and Kurdish. Public instruction in Syriac, which was announced under a 1972 decree, never was implemented. Thus, in areas under government control, Assyrian and Chaldean children are not permitted to attend classes in Syriac.

In northern areas under Iraqi Kurdish control, classes in Syriac have been permitted since the 1991 uprising against the Government. There were no reports of elementary school instruction in Syriac being hindered in the north of the country.

During the period covered by this report, the U.N. Special Rapporteur on Human Rights in Iraq reported receiving several allegations claiming that the Government continues to oppress the Shi'a Muslim community. According to Shi'a religious dignitaries in Iran, the Government continues to arrest Shi'a religious figures, disrupt Shi'a religious ceremonies—sometimes with armed force—and places restrictions on practices by most Shi'a religious leaders. As a consequence, the number of religious scholars, students, and other dignitaries in the seminaries reportedly has declined.

An Islamic group variously known as Jund al-Islam and Ansar al-Islam seized control of portions of the northern part of the country along the Iranian border, imposing a severe form of rule under Islamic law and restricting all non-Islamic worship in the area under its control.

#### *Abuses of Religious Freedom*

The Government for decades has conducted a brutal campaign of killing, summary execution, and protracted arbitrary arrest against the religious leaders and followers of the majority Shi'a Muslim population and has sought to undermine the identity of minority Christian (Assyrian and Chaldean) and Yazidi groups.

Despite supposed legal protection of religious equality, the regime has repressed severely the Shi'a clergy and those who follow the Shi'a faith. Forces from the Intelligence Service (Mukhabarat), General Security (Amn al-Amm), the Military Bureau, Saddam's Commandos (Fedayeen Saddam), and the Ba'ath Party have killed senior Shi'a clerics, desecrated Shi'a mosques and holy sites (particularly in the aftermath of the 1991 civil uprising), arrested tens of thousands of Shi'a, interfered with Shi'a religious education, prevented Shi'a adherents from performing their religious rites, and fired upon or arrested Shi'a who sought to take part in their religious processions. Security agents reportedly are stationed at all the major Shi'a mosques and shrines, and search, harass, and arbitrarily arrest worshipers.

Shi'a groups reported numerous instances of religious scholars—particularly in the internationally renowned Shi'a academic center of Najaf—being subjected to arrest, assault, and harassment during the period covered by this report. This follows years of government manipulation of the Najaf theological schools. As reported by Amnesty International in the late 1970's and early 1980's, the Government systematically deported tens of thousands of Shi'a (both Arabs and Kurds) to Iran, claiming falsely that they were of Persian descent. According to Shi'a sources, religious scholars and Shi'a merchants who supported the schools financially were prime targets for deportation. In the 1980's, during the Iran-Iraq war, it was reported widely that the Government expelled and denied visas to thousands of foreign scholars who wished to study at Najaf. After the 1991 popular uprising, the Government relaxed some restrictions on Shi'a attending the schools; however, this easing of restrictions was followed by an increased government repression of the Shi'a religious establishment, including the requirement that speeches by imams in mosques be based upon government-provided material that attacked fundamentalist trends.

Since the 1980's, the Government reportedly has attempted to eliminate the senior Shi'a religious leadership (the Mirjaiyat) through killings, disappearances, and summary executions.

Since January 1998, the killings of three internationally respected clerics and an attempt on the life of a fourth have been attributed widely to government agents by international human rights activists, other governments, and Shi'a clergy in Iran and Lebanon. Grand Ayatollah Sheikh Murtada al-Borojourni, age 69, was killed in April 1998. Grand Ayatollah Sheikh Mirza Ali al-Gharawi, age 68, was killed in July 1998. Ayatollah Sheikh Bashir al Hussaini escaped an attempt on his life in January 1999. Grand Ayatollah Mohammad al-Sadr, age 66, was killed in February 1999 along with two of his sons. Former U.N. Commission Special Rapporteur on Human Rights for Iraq, Max Van Der Stoel, sent a letter in 1999 to the Government expressing his concern that the killings might be part of an organized attack by the Government against the independent leadership of the Shi'a community. The Government has not responded to Van Der Stoel's inquiries.

In the aftermath of these killings, the Government increased repressive activities in the south and in other predominantly Shi'a areas to prevent mourning observances and popular demonstrations. As part of this campaign, two Shi'a scholars in Baghdad, Sheikh Hussain Suwai'dawi, and Sheikh Ali al-Fraijawi, reportedly were executed in July 1998.

In April 1999, the Government executed four Shi'a men for the al-Sadr slaying after a closed trial. Shi'a religious authorities and opposition groups objected to the trial process and contend that the four executed men were innocent. At least one of the four, Sheikh Abdul Hassan Abbas Kufi, a prayer leader in Najaf, reportedly was in prison at the time of the killing. The Shi'a press reported in January 1999 that he had been arrested on December 24, 1998. The three others executed with Kufi were Islamic scholar Ahmad Mustapha Hassan Ardabili, Ali Kathim Mahjan, and Haider Ali Hussain. The status of Ali al-Musawi, another Shi'a cleric accused of complicity in al-Sadr's death, still is unknown. According to a report submitted to the Special Rapporteur in September 1999, one of al-Sadr's sons, Sayyid Muqtada al-Sadr, was arrested along with a large number of theological students who had studied under the Ayatollah. Nineteen followers of al-Sadr reportedly were executed toward the end of 1999, including Sheikh Muhammad al-Numani, Friday imam Sheikh Abd-al-Razzaq al-Rabi'i, assistant Friday imam Kazim al-Safi, and students from a religious seminary in Najaf.

Although a funeral for al-Sadr was prohibited, spontaneous gatherings of mourners took place in the days after his death. Government security forces used excessive force in breaking up these illegal religious gatherings. Throughout the country, security forces used automatic weapons and armored vehicles to break up demonstrations, killing, injuring, and arresting hundreds of protesters.

Authorities have targeted suspected supporters of al-Sadr since he was killed in 1999. In February 2000, 30 Najaf religious school students, who were arrested after al-Sadr's death, reportedly were executed. In March 2000, scores of Shi'a who fled the country in 1999 and early 2000 told Human Rights Watch that they had been interrogated repeatedly and, in some cases, detained and tortured. Some were relatives of al-Sadr's students who had been arrested after the killing and others were relatives of other prominent clerics. In May 2000, according to Human Rights Watch, at least six religious students in Najaf who were arrested after al-Sadr's killing were sentenced to death, including Shaikh Salim Jassem al-Abbudi, Shaikh Nasser al-Saa'idi, and Sa'ad al-Nuri. Two clerics, Abdulsattar Abed-Ibrahim al-Mausawi and Ahmad al-Hashemi, reportedly were executed in May 2000 after 6 months' detention. The Government accused them of attempting to discredit the President after they blamed Saddam Hussein for al-Sadr's killing. In late 1999 and early 2000, approximately 4,000 Shi'a families were expelled from Baghdad and sent to southern and western Iraq in reprisal for the disturbances that took place after al-Sadr's death.

Authorities took forceful preemptive measures well ahead of the first anniversary of al-Sadr's killing. Military units were deployed around shrines, mosques, and other religious institutions 2 months before the February anniversary. The Government closed mosques except during prayer time, and the turnout on the holy day of Ashura in April 2001 consequently was many times lower than it had been in the past. In late May 2001, the Ba'ath party reportedly issued orders prohibiting the ritual walking pilgrimage from Najaf to Karbala, a procession marking the end of the 40-day mourning period for Imam Husayn. Travelers reported that security troops opened fire on pilgrims who attempted the pilgrimage.

In 2001 the Special Rapporteur reported that he interviewed the brother of a Shi'a Arab who allegedly was arrested in 1998 for carrying in his car Islamic books and other religious papers. The individual reportedly was executed 5 months later,

along with 70 other persons, on charges of belonging to the Shi'a movement. His family reportedly learned of the execution when government authorities delivered his body to them.

In the aftermath of the al-Sadr killing and subsequent repression, the Shi'a religious community remains in a precarious state. Of the three generally acknowledged senior Shi'a clerics, Ayatollah Ali as-Sistani is forbidden to lead prayers and remains under virtual house arrest in Najaf as a result of attempts on his life; Ayatollah Mohammed Sayeed al-Hakim is forbidden to lead prayers at the shrine of Imam Ali in Najaf (or in the adjoining al-Khathra mosque, which has remained closed since 1994); and Ayatollah Hussein Bahr al-Aloom, who was arrested in 1991, reportedly died under questionable circumstances in June 2001. Many scholars at the Shi'a religious schools in Najaf reportedly have been arrested, as have many of al-Sadr's religious appointees throughout the country. These restrictions and abuses had an adverse affect on the development of a new set of Shi'a leaders.

The al-Sadr killing intensified Shi'a anger at the ruling Sunni minority and led to more severe government repression of the Shi'a. The Shi'a resistance also took the form of bolder actions against the regime, including hand grenade and rocket attacks on security headquarters, Ba'ath Party offices, and presidential residences in Baghdad, as well as small arms attacks in many parts of the capital. The al-Amin, Nuwab ad-Dubbat, and al-Nafth districts of Baghdad reportedly have remained in a heightened state of alert every Friday since al-Sadr's death.

Reports of military operations against Shi'a civilians also increased notably in the summer of 1998 after the killings of Ayatollahs Ali al-Gharawi and Sheikh al-Borojourni. In numerous incidents during 1998, security forces injured and summarily executed Shi'a civilians, burned Shi'a homes, confiscated land belonging to Shi'a, and arbitrarily arrested and detained scores of Shi'a.

In January 1999, according to a report from the Supreme Council for the Islamic Revolution in Iraq (SCIRI), security officials reportedly arrested Sheikh Awas, imam of the Nasiriyah city mosque. Shortly after the arrest of Sheikh Awas, hundreds of Shi'a congregation members reportedly marched on the security directorate to demand that Awas be released immediately. Security forces allegedly opened fire on the unarmed crowd with automatic weapons and threw hand grenades. Five persons reportedly were killed, 11 wounded, and 300 arrested.

The Human Rights Organization in Iraq (HROI) reported that 1,093 Shi'a were arrested in June 1999 in Basrah alone. The Iraqi National Congress reports that tanks from the Hammourabi Republican Guard division attacked the towns of Rumaiatha and Khudur in June 1999 after residents protested the systematic unequal distribution of food and medicine to the detriment of the Shi'a. Fourteen villagers were killed, over 100 persons were arrested, and 40 homes were destroyed. In June 1999, SCIRI reported that 160 homes in the Abul Khaseeb district near Basra were destroyed.

In several incidents in 1999, security forces killed and injured Shi'a congregants who gathered to protest closures of various Shi'a mosques.

The Government for several decades has interfered with Ashura holiday commemorations, including interference with the ritual walking pilgrimage to Karbala to mark the end of the 40-day mourning period.

In May 2000, the Government issued orders prohibiting the walking pilgrimage to Karbala. The Government reportedly deployed more than 15,000 Republican Guard troops armed with light weapons and in civilian clothes on the main roads leading into both Karbala and Najaf to enforce the prohibition. Travelers later reported that security troops opened fire on pilgrims who attempted the walk from Najaf to Karbala as part of the 40th day ritual. Shi'a expatriates report that groups as small as 10 to 20 pilgrims attempting to make their way into the city at other times also have been arrested.

While no firm statistics are available regarding the number of religious detainees, observers estimate the total number of security detainees to be in the tens of thousands or more, including numerous religious detainees and prisoners. Some individuals have been held for decades. Others who have remained unaccounted for since their arrests may have died or been executed secretly years ago. The Government reportedly continued to target Shi'a Muslim clergy and their followers for arbitrary arrest and imprisonment. While Shi'a are not the only group targeted in this way (others, including Kurds and secular regime opponents, are targeted for ethnic and political reasons), Shi'a are the primary group targeted based on their religion. It is likely that Shi'a constitute the majority of the prison population in the country.

It is difficult to produce an accurate list of persons in prison for their religious beliefs; however, there are some well-known cases of arrest and disappearance on these grounds. For example, in 1991 Iraqi authorities arrested 108 Shi'a clerics and students, including 95-year-old Grand Ayatollah Abu Gharib al-Qassem al-Khoei, 10

of his family members, and 8 of his aides. Ayatollah al-Khoei subsequently was released; however, he was held under house arrest until his death in 1992. The Government also released another person (a foreign national) who was arrested in 1991; however, the fate of the other 106 persons is unknown. In 1992 the Government denied that it knew anything regarding the whereabouts of the missing persons; however, many observers reportedly witnessed their arrests. Over the years, hundreds of thousands of persons have disappeared, and their whereabouts remain unknown. The majority of those targeted have been Shi'a Muslims and Kurds.

Security forces also have forced Shi'a inhabitants of the southern marshes to relocate to major southern cities and to areas along the Iranian border. Former Special Rapporteur van Der Stoel described this practice in his February 1999 report, adding that many other persons have been transferred to detention centers and prisons in central Iraq, primarily in Baghdad. The Government reportedly also continued to move forcibly Shi'a populations from the south to the north to replace Kurds, Turkomen, and Assyrians who had been expelled forcibly from major cities.

The military also continued its water-diversion and other projects in the south. The Government's claim that the drainage is part of a land reclamation plan to increase the acreage of arable land and spur agricultural production is given little credence. Hundreds of square miles have been burned in military operations. The former Special Rapporteur noted the devastating impact that draining the marshes has had on the culture of the Shi'a marsh Arabs. SCIRI claims to have captured government documents that detail the destructive intent of the water diversion program and its connection to "strategic security operations," economic blockade, and "withdrawal of food supply agencies."

The Government's diversion of supplies in the south limited the Shi'a population's access to food, medicine, drinking water, and transportation. According to the former Special Rapporteur and opposition sources, thousands of persons in Nasiriyah and Basra provinces were denied rations that should have been supplied under the U.N. oil-for-food program. In these provinces and in Amarah province, access to food allegedly is used to reward regime supporters and silence opponents. Shi'a groups report that, due to this policy, the humanitarian condition of Shi'a in the south continued to suffer despite a significant expansion of the oil-for-food program.

The former Special Rapporteur and others have reported that the Government has engaged in various abuses against the country's Assyrian and Chaldean Christians, especially in terms of forced movements from northern areas and repression of political rights.

Most Assyrians live in the northern governorates, and the Government often has suspected them of "collaborating" with Iraqi Kurds. In the north, Kurdish groups often refer to Assyrians as Kurdish Christians. Military forces destroyed numerous Assyrian churches during the 1988 Anfal Campaign and reportedly executed and tortured many Assyrians. Both major Kurdish political parties have indicated that the Government occasionally targets Assyrians as well as ethnic Kurds and Turkomen as a part of its Arabization campaign of ethnic cleansing designed to harass and expel non-Arabs from government-controlled areas in the north.

There is evidence that the Government in the past compelled Yazidis to join in domestic military action against Muslim Kurds. Captured government documents included in a 1998 Human Rights Watch report describe special all-Yazidi military detachments formed during the 1988-89 Anfal campaign to "pursue and attack" Muslim Kurds. The Government also has targeted the Yazidis in the past. For example, 33 members of the Yazidi community of Mosul, arrested in July 1996, still are unaccounted for.

Although few Jews remain in the country, government officials frequently make anti-Semitic statements. For example, in 2001 a Ba'th Party official stated that "lowly Jews" were "descendants of monkeys and pigs and worshipers of the infidel tyrant."

In northern Iraq, a newly formed group called the Jund al-Islam seized control of several villages near Halabja in September 2001. The group imposed a severe form of Islamic law, requiring women to adopt Islamic dress codes, banning music and television, restricting or forbidding non-Islamic worship, and administering all civil laws under an extreme version of the Shari'a. After fighting with local authorities, the group agreed to a cease-fire. The group changed its name to Ansar al-Islam and still controls several villages in along the Iranian border.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The country's cultural, religious, and linguistic diversity is not reflected in its political and economic structure. Various segments of the Sunni Arab community, which itself constitutes a minority of the population, effectively have controlled the Government since independence in 1932.

Shi'a Arabs, the religious majority of the population, have long been disadvantaged economically, politically, and socially.

The Islamic group variously known as Jund al-Islam or Ansar al-Islam continues to impose a severe form of Islamic rule under Shari'a in parts of the north along the Iranian border. The group is intolerant of any religious belief other than its own extreme version of Islam.

## SECTION IV. U.S. GOVERNMENT POLICY

The United States has no diplomatic relations with Iraq and thus is not able to raise directly with the Government the problems of severe restrictions on religious freedom and other human rights abuses. However, the U.S. Government makes its position clear in public statements and in diplomatic contacts with other states.

During the period covered by this report, the President regularly discussed the problems experienced by Shi'a, Christian, and other religious groups in his periodic reports to Congress on Iraq. The Assistant Secretary of State for Near Eastern Affairs, in testimony before Congress on Iraq, highlighted the situation of persons in the south. The Voice of America broadcast several editorials dealing with the human rights abuses committed against religious groups by the Government.

It is the policy of the United States to encourage a change of regime in Iraq. The Government is in frequent contact with opposition groups, including religiously oriented Shi'a, Sunni, and Christian groups. All of the groups designated as eligible for assistance under the Iraq Liberation Act have indicated their strong support for religious freedom and tolerance.

In 2001 the Secretary of State designated Iraq a country of particular concern under the International Religious Freedom Act for particularly severe violations of religious freedom. Iraq was similarly designated in 1999 and 2000.

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**ISRAEL AND THE OCCUPIED TERRITORIES**

Israel<sup>1</sup> has no constitution; however, the law provides for freedom of worship, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report. The Basic Law describes Israel as a "Jewish" and "democratic" state. The overwhelming majority of non-Jewish citizens are Muslims, Druze, and Christians. Of this group, most are Arabs, and are subject to various forms of discrimination, some of which have religious dimensions. Israeli Arabs, temporary residents, and other non-Jewish Israelis, are, in fact, generally free to practice their religions.

Relations among religious groups—between Jews and non-Jews, between Muslims and Christians, and among the different streams of Judaism—often are strained. Societal tensions between Jews and non-Jews exist primarily as a result of the Arab-Israeli conflict; such tensions increased significantly during the period covered by this report, due primarily to terrorist attacks, mostly in the form of suicide bombings by Palestinians, and Israel Defense Force (IDF) actions in the occupied territories. The terrorist attacks against civilian targets in Israel impeded many aspects of daily life, including religious practice.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

Based on its pre-1967 borders, Israel has a total area of approximately 7,685 square miles, and its population is approximately 6.5 million (including Israeli settlers who live in the occupied territories). According to government figures, approximately 80 percent of the population are Jewish, although an unknown number of these citizens do not qualify as Jews according to the definition espoused by Orthodox Judaism. Additionally, non-Jews (usually Christians) who immigrate to the

<sup>1</sup>The religious freedom situation in the Occupied Territories is discussed in the annex appended to this report.

country with their Jewish relatives often are counted as Jews for statistical purposes. According to government figures, among the Jewish population, approximately 4.5 percent are Haredi, or ultra-Orthodox, and another 13 percent are Orthodox. The vast majority of the Jewish population describe themselves as “traditional,” or “secular” Jews, most of whom observe some Jewish traditions. For example, a poll conducted during the period covered by this report found that during Passover, over 80 percent of the country’s Jewish population refrained from eating non-kosher food despite the fact that such food could be purchased in non-Kosher stores and restaurants. A growing but still small number of traditional and secular Jews associate themselves with the Conservative, Reform, and Reconstructionist streams of Judaism, which are not officially recognized in the country. A poll released in December 2001 found that the majority of Jews accepted the tenets of Reform and Conservative Judaism, and that the vast majority believed Reform and Conservative weddings conducted in Israel should be recognized by the State. Though they are not officially recognized by the Government, these streams of Judaism do receive a small amount of government funding and are recognized by the country’s courts.

Approximately 20 percent of the population generally are non-Jewish. Of this 20 percent, approximately 80 percent are Muslim, 10 percent Christian, and 10 percent Druze. The country’s non-Jewish population is concentrated in the north, east-central, and southern parts of the country. There also are small numbers of evangelical Christians and Jehovah’s Witnesses.

Many Israeli Arabs associate themselves with the secular parties in Israel, including the Communist Party, which has a majority Arab membership. Other Israeli Arabs associate with parties aligned with the Islamic Movement or with small, Arab-centered parties. Many Jews also associate with parties representing their religious or ethno-religious beliefs. The remainder of citizens identify with various secular parties.

There are a number of missionary groups operating in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

There is no constitution; however, the law provides for freedom of worship, and the Government generally respects this right in practice. The Declaration of Independence describes the country as a “Jewish state,” but also provides for full social and political equality regardless of religious affiliation. Israeli Arabs and other non-Jews are, in fact, generally free to practice their religions. The discrepancies that exist in the treatment of various communities in society are based on several variables, including the distinction between Jewish and non-Jewish citizens. Due to the historic influence of Orthodox Jewish political parties, the Government implements certain policies based on interpretations of religious law. For example, the national airline, El Al, and public buses in most cities do not operate on the Sabbath; however, some private bus companies operate on Saturday. According to the law, Jews in most professions may not work on the Sabbath. This law generally is enforced in the retail sector; however, it is enforced inconsistently in the entertainment sector. Additionally, streets in some Orthodox Jewish neighborhoods are closed to vehicles on the Sabbath.

The Government recognizes 5 religions, including 10 Christian denominations. The status of some Christian organizations with representation in the country heretofore has been defined by a collection of ad hoc arrangements with various government agencies. Several of these organizations seek to negotiate with the Government in an attempt to formalize their status.

During the period covered by this report, relations between the Israeli Government and the Greek Orthodox Patriarchate (which represents the largest Christian community in Israel and the occupied territories) were strained by the Israeli Government’s refusal to recognize the duly-elected Greek Orthodox Patriarch, Eirinaios I. According to a senior Patriarchate official, the Israeli Government withheld its recognition in an attempt to extract legal and political concessions from the Patriarchate. Many local Greek Orthodox Christians perceived the Government’s actions as interference with the internal workings of their church. Another factor for the delay in recognition is that Jewish business associates of some of the defeated Patriarchal candidates reportedly have filed High Court challenges to the election, thereby preventing the Government from endorsing Eirinaios. While the lack of recognition may not hinder the Patriarch’s ability to fulfill his spiritual obligations directly, it may affect his ability to leave and return to Israel without restriction.

At least a few of the IDF soldiers who were killed in action since September 2000 were Muslim, Druze, and Israeli Arab Christian. After the family of one of the soldiers who was killed in February 2000 could not find a Muslim cleric to perform

his burial, there was public debate over the fact that the IDF does not employ a Muslim chaplain. In late 2000, Prime Minister Ariel Sharon ordered the IDF to hire a Muslim chaplain; however, by the end of the period covered by this report, the IDF was unable to find a Muslim cleric who was willing to serve as an IDF chaplain.

The Government funds both religious and secular schools in the country, including non-Jewish religious and secular schools. Some secular Jewish schools have adopted a religious education program developed by the non-Orthodox streams. Schools in Arab areas, including Arab parochial schools, receive significantly fewer resources than comparable Jewish schools. During the period covered by this report, the Municipality of Jerusalem attempted to turn control of a declining Jerusalem school over to the Progressive (Reform) movement, which runs a successful school in Haifa. However, after ultra-Orthodox leaders threatened to defeat the Jerusalem mayor in any upcoming elections if the Progressives took control of the school, the offer was rescinded.

Jewish religious holidays such as Rosh Hashana, Yom Kippur, Sukkot, and Passover are state holidays. Arab municipalities often recognize Christian and Muslim holidays.

#### *Restrictions on Religious Freedom*

Orthodox Jewish religious authorities have exclusive control over Jewish marriages, divorces, and most burials. Many Jewish citizens object to such exclusive control, and it has at times been a source of serious controversy in society.

Under the Law of Return, the Government grants automatic citizenship and residence rights to Jewish immigrants and their families. Based on a decision made in 2000 by the Attorney General, residency rights are not granted to relatives of converts to Judaism, except to children of female converts who are born after the mother's conversion is complete. The Law of Return does not apply to non-Jews or to persons of Jewish descent who have converted to another faith. Approximately 36 percent of the country's Jewish population was born outside of the country. The Government until this year designated "nationality" (i.e., Arab, Russian, or "Jew," etc.) on national identity documents. Groups representing persons who consider themselves Jewish but who do not meet the Interior Ministry's criteria long have sought a change in the rules, or to have the nationality designation completely removed from identity cards, a move also supported by many Arab groups. In February 2002, the Supreme Court ruled that the Ministry of Interior must register as Jewish 24 persons who had converted in Israel to Judaism through Reform or Conservative conversions (the Government has recognized such conversions performed overseas since 1986). This decision would affect the "nationality" designation on the identification cards of such converts, but not their right to Jewish marriage or burial, which still would be denied. After the Supreme Court's decision, several members of the Knesset announced that they would seek legislation to circumvent the Court's ruling, while others proposed eliminating the nationality clause entirely. At the end of the period covered by this report, new identification cards were being issued without any nationality designation.

The Government has recognized only Jewish holy places under the 1967 Protection of Holy Sites Law. The Government states that it also protects the holy sites of other faiths. The Government also states that it has provided funds for some holy sites of other faiths. Muslim groups complain that the Government has been reluctant to refurbish mosques in areas where there is no longer a Muslim population.

A 1977 anti-proselytizing law prohibits any person from offering or receiving material benefits as an inducement to conversion; however, there have been no reports of the law's enforcement.

Missionaries are allowed to proselytize, although the Church of Jesus Christ of Latter-Day Saints (Mormons) voluntarily refrains from proselytizing under an agreement with the Government. During the period covered by this report, some missionaries complained of difficulties renewing their visas, though their complaints eventually were resolved.

The Government generally continued to permit Muslim citizens to make the Hajj during the period covered by this report. However, for security reasons, the Government imposed restrictions on its Muslim citizens who performed the Hajj, including requiring that they be over the age of 30. The Government does not allow Hajj pilgrims to return if they leave the country without formal permission. The Government justifies these restrictions on the grounds that Saudi Arabia remains officially at war with the country, and that travel to Saudi Arabia therefore is subject to security considerations.

During the period covered by this report, many groups and individuals of all religions traveled to Israel freely. However, the Government at times denied entry to

foreign groups or activists, including Jews, whom it deemed sympathetic to Palestinians or likely to pose a threat to security. In June 2002, the Government denied entry to 20 predominantly Muslim American citizens traveling to the country on a 1-week visit to meet with different religious groups.

The Government states that it is committed to granting equal and fair conditions to Israeli Arabs, particularly in the areas of education, housing, and employment. However, the Government does not provide Israeli Arabs, who constitute approximately 20 percent of the population, with the same quality of education, housing, employment, and social services as Jews. On a per capita basis, the Government spends two-thirds as much for Arabs as for Jews. Although such policies are based on a variety of factors, they reflect de facto discrimination against the country's non-Jewish citizens.

In civic areas in which religion is a determining criterion, such as the religious courts and centers of education, non-Jewish institutions routinely receive less state support than their Orthodox Jewish counterparts. Additionally, National Religious (i.e., modern Orthodox, one of Israel's official Jewish school systems) and Christian parochial schools complain that they receive less funding than secular schools despite the fact that they voluntarily abide by all national curricular standards. During the period covered by this report, the two groups together took their case for equal funding to the High Court.

Government resources available to Arab public schools are less than proportionate to those available to Jewish public schools. Israeli Arab private religious schools are considered among the best in the country; however, parents often must pay tuition for their children to attend such schools due to inadequate government funding. Jewish private religious schools receive significant government funding. Non-Jews are underrepresented in the student bodies and faculties of most universities and in the higher level professional and business ranks.

Government funding to the different religious sectors is disproportionate. Non-Orthodox streams of Judaism and the non-Jewish sector receive proportionally less funding than the Orthodox Jewish sector. Only 2 percent of the Ministry of Religious Affairs budget goes to the non-Jewish sector. The High Court of Justice heard a case in 1997 alleging that the budgetary allocation to the non-Jewish sector constituted discrimination. In 1998 the Court ruled that the budget allocation constituted "prima facie discrimination" but that the plaintiff's petition did not provide adequate information about the religious needs of the various communities. In May 2000, the same plaintiffs presented a case on the specific needs of religious communities regarding burials. The court agreed that non-Jewish cemeteries were receiving inadequate resources and ordered the Government to increase funding to such cemeteries; the Government began to implement this decision in 2001, though some groups complained that implementation was too slow.

The Jewish National Fund owns approximately 8 percent of the country's land area and manages another 8 percent on behalf of the Government. The JNF's by-laws prohibit it from selling or leasing land to non-Jews, which has prevented Israeli Arabs from buying homes in JNF developed areas.

Israeli-Arab organizations have challenged the Government's "Master Plan for the Northern Areas of Israel," which listed as priority goals increasing the Galilee's Jewish population and blocking the territorial contiguity of Arab villages and towns, on the grounds that it discriminates against Arab citizens.

Each recognized religious community has legal authority over its members in matters of marriage and divorce. Secular courts have primacy over questions of inheritance, but parties, by mutual agreement, may bring inheritance cases to religious courts. Jewish and Druze families may ask that some family status matters, such as alimony and child custody, be adjudicated in civil courts as an alternative to religious courts. Christians only may ask that child custody and child support be adjudicated in civil courts as an alternative to religious courts. Muslims have no recourse to civil courts in family-status matters.

The State does not recognize marriages or conversions to Judaism performed in the country by non-Orthodox rabbis. In June 2001, the Chief Rabbinate issued new regulations stipulating that immigrants who arrived in the country after 1990 must be investigated to confirm that they are Jewish before they can be married in a Jewish ceremony. Many Israeli Jews who wish to marry in secular or non-Orthodox religious ceremonies do so abroad, and the Ministry of Interior recognizes such marriages. However, many Jewish citizens object to such exclusive control, and it has been at times a source of serious controversy in society, particularly in recent years, as thousands of immigrants from the former Soviet Union have not been recognized as Jewish by Orthodox authorities. For example, at least one IDF soldier who considered himself Jewish and was killed in action during the period of this report was not eligible for burial in the Jewish section of a military cemetery because he was

not Jewish under Orthodox Jewish law. After considerable public outcry over the ruling that he was not eligible for a Jewish funeral, the father of the soldier announced that he was satisfied with the portion of the cemetery where his son would be laid to rest, a portion reserved for persons whose Jewishness was in question. Following the Dolphinarium discotheque bombing in June 2001, which killed 21 Israelis, some religious authorities questioned whether several of the young victims, who were immigrants from the former Soviet Union, qualified for Jewish burial. One of the victims ultimately was buried in a special part of a cemetery reserved for persons whose Jewish identity was "in doubt." Newspapers reported that the decision distressed many Russian immigrants.

Under the Jewish religious courts' interpretation of personal status law, a Jewish woman may not receive a final writ of divorce without her husband's consent. Consequently, there are thousands of so-called "agunot" in the country who are unable to remarry or have legitimate children because their husbands either have disappeared or refused to grant a divorce.

Rabbinical tribunals have the authority to impose sanctions on husbands who refuse to divorce their wives or on wives who refuse to accept a divorce from their husbands. At least one man, a U.S. citizen, has been in jail for 3 years because he refuses to grant his wife a writ of divorce. However, in some cases rabbinical courts have failed to invoke sanctions. In cases in which a wife refuses to accept a divorce, the rabbinical courts occasionally allow a husband to take a second wife; however, a wife never may take a second husband. Rabbinical courts also may exercise jurisdiction over and issue sanctions against non-Israeli persons present in the country.

Some Islamic law courts have held that Muslim women may not request a divorce, but that women may be forced to consent if a divorce is granted to a man.

Members of unrecognized religious groups (particularly evangelical Christians) sometimes face problems obtaining marriage certificates or burial services. However, informal arrangements provide relief in some cases.

A group of more than 100 Orthodox, Conservative, and Reform women continued a long legal battle to hold women's prayer services at the Western Wall. In May 2000, the High Court ruled that women could pray aloud and wear prayer shawls at the Western Wall. In November 2000, an expanded High Court reheard the case; a decision still was pending at the end of the period covered by this report. Most Orthodox Jews believe that mixed gender prayer services violate the precepts of Judaism, and Jews generally still are unable to hold egalitarian (mixed gender) prayer services at the Western Wall. The Conservative movement is experimenting with conducting services at a different, recently excavated portion of the wall. The North American Reform Movement has rejected such an alternative.

There were no complaints of harassment of members of Jehovah's Witnesses during the period covered by this report; however, of the over 120 cases of harassment filed by members of Jehovah's Witnesses between 1998 and 2000, many still were pending.

There are numerous nongovernmental organizations maintaining dialogue between different religions. Interfaith dialogue often is linked to the peace process between the country and its Arab neighbors.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among different religious groups—between Jews and non-Jews, between Christians and Muslims, and among the different streams of Judaism—often are strained. Many Jewish citizens object to the exclusive control the Orthodox Jewish authorities have over Jewish marriages, divorces, and most burials. This has been, at times, a source of serious controversy in society. Tensions between Jews and non-Jews exist primarily as a result of the Arab-Israeli conflict, and increased significantly during the period covered by this report, due primarily to terrorist attacks, mostly in the form of suicide bombings by Palestinians, and IDF actions in the occupied territories. The terrorist attacks against civilian targets in Israel impeded many aspects of daily life, including religious practice.

On March 27, 2002, a suicide bomber attacked a Passover holiday seder in Netanya, killing 20 persons and injuring over 100. The bomber, who was on a list of wanted terrorists, also died in the explosion.

Animosities between secular and religious Jews continued during the period covered by this report. Non-Orthodox Jews have complained of discrimination and intolerance. Persons who consider themselves Jewish but who are not considered Jewish under Orthodox law particularly complained of discrimination. Instances of ultra-Orthodox Jewish groups or individuals verbally or physically harassing women for "immodest dress" or other violations of their interpretation of religious law are not uncommon in ultra-Orthodox neighborhoods.

Observant Jews also faced some discrimination. In May 2001, the Beersheva labor court ruled that employers could not discriminate against employees or job applicants who refuse to work on the Sabbath. The case was brought by an engineer who was refused a position because he did not work on the Sabbath. The judge ruled that "an employer is obligated to behave equally towards job seekers, including setting conditions of acceptance that do not take into account the potential employees' beliefs or religion, unless the job functions require distinctions, such as work on the Sabbath."

Israeli Arab groups allege that many employers use the prerequisite of military service to avoid hiring non-Jews, including for jobs that are unrelated to national security.

Societal attitudes toward missionary activities and conversion generally are negative. Jews frequently are opposed to missionary activity directed at Jews and occasionally are hostile toward Jewish converts to Christianity. Such attitudes often are attributed to the frequent periods in Jewish history in which Jews were coerced to convert to Christianity.

Christian and Muslim Israeli Arab religious leaders complain that missionary activity that leads to conversions frequently disrupts family coherence in their community. Muslims consider any conversion from Islam to be apostasy.

In recent years, evangelical Christians, Jehovah's Witnesses, and Reform and Conservative Jews complained of incidents of harassment, threats, and vandalism directed against their buildings and other facilities, many of which were committed by two ultra-Orthodox groups, Yad L'Achim and Lev L'Achim. In May 2002, an unidentified person or persons drew a swastika and an epithet on the door of the Israel Religious Action Center, the legal arm of the Reform Movement. The incident occurred apparently in response to plans to turn control of a local school over to the Reform Movement (see Section II).

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy consistently raised issues of religious freedom with the Foreign Ministry, the police, the Prime Minister's office, and the Ministry of the Interior.

In meetings with the Israeli officials, the U.S. Embassy in Israel and State Department officials in Washington have objected to the arbitrary and discriminatory practice of denying some U.S. citizens entry into Israel based on religious and ethnic background.

Embassy representatives, including the Ambassador, routinely meet with religious officials. These contacts included meetings with Jewish, Christian, Muslim, and Baha'i leaders at a variety of levels.

Embassy officials maintain a dialog with NGO's that follow human and civil rights issues, including religious freedom. These NGO's include the Association for Civil Rights in Israel, the Israel Religious Action Center, Adalah, and others.

Embassy representatives attended meetings of groups seeking to promote interfaith dialog, including the Interreligious Coordinating Council in Israel, the Anti-Defamation League, and others. The Embassy provided small grants to local organizations promoting interfaith dialog and to organizations examining the role of religion in resolving conflict.

#### THE OCCUPIED TERRITORIES (INCLUDING AREAS SUBJECT TO THE JURISDICTION OF THE PALESTINIAN AUTHORITY)

Israel occupied the West Bank, Gaza Strip, Golan Heights, and East Jerusalem during the 1967 War. The West Bank and Gaza Strip now are administered to varying extents by Israel and the Palestinian Authority (PA). The PA does not have a constitution, nor does it have a specific law providing for religious freedom; however, the PA generally respects this right in practice. Although there is no official religion in the occupied territories, Islam is treated de facto as the official religion.

Israel exercises varying degrees of legal control in the West Bank. Israel has no constitution; however, Israeli law provides for freedom of worship, and the Israeli Government generally respects this right in practice.

There was no change in the status of the PA's respect for religious freedom during the period covered by this report. In previous years, there were allegations that a

small number of Muslim converts to Christianity were harassed by PA officials. There was one such allegation during the period covered by the report, but the allegation could not be verified. The Israeli Government's closure policies in the occupied territories restricted the ability of Palestinians to reach places of worship, particularly during religious holidays.

There generally are amicable relations between Christians and Muslims. Societal attitudes are a barrier to conversions from Islam. Relations between Jews and non-Jews, as well as among the different branches of Judaism, are strained. Societal tensions between Jews and non-Jews exist primarily as a result of the Arab-Israeli conflict; such tensions increased significantly during the period covered by this report. The violence that has occurred since the outbreak of the Intifada in October 2000 has curtailed significantly religious practice in the occupied territories, including damaging severely places of worship and religious shrines.

The U.S. Government discusses religious freedom issues with the PA in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The occupied territories are composed of the Gaza Strip, the West Bank, and East Jerusalem. The Gaza Strip covers an area of 143 square miles, and its population is 1,138,563 persons. The West Bank (excluding East Jerusalem) covers an area of 2,238 square miles, and its population is approximately 2,191,300 persons. East Jerusalem covers an area of 27 square miles and its population is approximately 390,000 persons.

The vast majority (98.4 percent) of the Palestinian residents of the occupied territories are Sunni Muslims. According to the Palestinian Central Bureau of Statistics, there are 40,055 Palestinian Christians living in the territories. However, according to the sum of estimates provided by individual Christian denominations, the total number of Christians is approximately 200,000. A majority of Christians are Greek Orthodox (approximately 120,000), and there also are a significant number of Roman Catholics and Greek Catholics (approximately 50,000 total), Protestants, Syrians, Armenians, Copts, Maronites, and Ethiopian Orthodox. In general Christians are concentrated in the areas of Jerusalem, Ramallah, and Bethlehem. In early 2001, approximately 1,000 Christians from Bethlehem left the occupied territories for other countries. According to Christian leaders, most of the Christians left their homes for economic and security reasons and not due to religious discrimination. Jewish Israeli settlers reside in the West Bank (approximately 171,000), Gaza (approximately 6,500), and Jerusalem. There is a community of approximately 550 Samaritans (an ancient offshoot of Judaism) located on Mount Gerazim near Nablus.

Several evangelical Christian missionary groups, including Jehovah's Witnesses, operate in the West Bank.

Foreign missionaries operate in the occupied territories. These include a small number of evangelical Christian pastors who seek to convert Muslims to Christianity. While they maintain a generally low profile, the PA is aware of their activities and generally does not restrict them.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Palestinian Authority has no constitution, and no single law in force protects religious freedom; however, the PA generally respects religious freedom in practice. Although there is no official religion in the occupied territories, Islam is treated de facto as the official religion.

The PA has not adopted legislation regarding religious freedom. However, both the draft Basic Law and the draft Constitution address religion. The draft Basic Law stipulates that "Islam is the official religion in Palestine," and that "respect and sanctity of all other heavenly religions (i.e., Judaism and Christianity) shall be maintained." The draft Basic Law was submitted for PA President Yasir Arafat's signature in 1997; however, it has not been signed into law. The March 2001 version of a draft constitution stipulates that "Islam is the official religion of the State, while other divine religions and their sanctity are respected." It is unclear whether the injunction to "respect" other religions would translate into an effective legal protection of religious freedom. The draft Basic Law and Constitution both state that the principles of Shari'a (Islamic law) are the primary bases for legislation.

Churches in Jerusalem, the West Bank, and Gaza may be subdivided into three general categories: Churches recognized by the status quo agreements reached under Ottoman rule in the late 19th century; Protestant and evangelical churches

that were established between the late 19th century and 1967, which are not recognized officially by the PA, although they are fully tolerated; and a small number of churches that became active within the last decade, whose legal status is more tenuous.

The first group of churches is governed by the 19th century status quo agreements, which the PA respects and which specifically established the presence and rights of the Greek Orthodox, Roman Catholic, Armenian Orthodox, Assyrian, Greek Catholic, Coptic, and Ethiopian Orthodox Churches. The Episcopal and Lutheran Churches were added later to the list. These churches and their rights were accepted immediately by the PA, just as the British, Jordanians, and Israelis had done before. Like Shari'a courts under Islam, these religious groups are permitted to have ecclesiastical courts whose rulings are considered legally binding on personal status issues and some land issues. Civil courts do not adjudicate on such matters.

According to the PA, no other churches have applied for official recognition. However, the second group of churches, which includes the Assembly of God, Nazarene Church, and some Baptist churches, has unwritten understandings with the PA based on the principles of the status quo agreements. They are permitted to operate freely and are able to perform certain personal status legal functions, such as issuing marriage certificates.

The third group of churches consists of a small number of proselytizing churches, including Jehovah's Witnesses and some evangelical Christian groups. These groups have encountered opposition in their efforts to obtain recognition, both from Muslims, who oppose their proselytizing, and Christians, who fear that the new arrivals may disrupt the status quo. These churches generally operate unhindered by the PA. At least one of these churches deferred plans to request official recognition from the PA after the outbreak of the Intifada in October 2000.

In practice, the PA requires individuals to be at least affiliated with some religion. Religion must be declared on identification papers, and all personal status legal matters must be handled in either Shari'a or Christian ecclesiastical courts. In the absence of legal protection of religious freedom, there are no statutory or regulatory remedies for violations of that freedom.

Islam is the de facto official religion of the Palestinian Authority, and its Islamic institutions and places of worship receive preferential treatment. The PA has a Ministry of Waqf and Religious Affairs, which pays for the construction and maintenance of mosques and the salaries of many Palestinian imams. The Ministry also provides some Christian clergymen and Christian charitable organizations with limited financial support. The PA does not provide financial support to any Jewish institutions or holy sites in the Occupied Territories; however, it paid for the refurbishment of Joseph's Tomb after it was damaged by Palestinian demonstrators in 2000.

The PA requires that religion be taught in PA schools. There are separate courses for Muslim and Christian students. In 2001 the PA implemented a compulsory curriculum that requires the study of Christianity for Christian students in grades one through six.

The Palestinian Authority observes several religious holidays, including, Eid al-Fitr, Eid al-Adha, Zikra al-Hijra al-Nabawiya, and the Prophet Muhammed's birthday. Christians also may observe the holidays of Christmas and Easter.

The PA does not officially sponsor interfaith dialog; however, it attempts to foster goodwill among religious leaders. The PA makes a strong effort to maintain good relations with the Christian community, and there is no pattern of PA harassment of Christians. Within the Ministry of Religious Affairs, there is a portfolio responsible for Christian affairs, and PA Chairman Yasir Arafat has an advisor on Christian affairs. Six Christians and 1 Samaritan sit on the 88-member Palestinian Legislative Council in seats set aside for representatives of these religions.

Israel has no constitution; however, the law provides for freedom of worship, and the Government generally respects this right in practice.

The Israeli Government gives preferential treatment to Jewish residents of the occupied territories and East Jerusalem in the areas of permits for home building and civic services. For example, Muslim Arab residents of Jerusalem pay the same taxes as Jewish residents; however, Arab residents receive significantly fewer municipal services than Jewish residents. There is a general consensus among Palestinian and Israeli human rights organizations that many of the national and municipal policies enacted in Jerusalem are designed to limit or diminish the non-Jewish population of Jerusalem. According to these activists, the Israeli Government uses a combination of zoning restrictions on building for Palestinians, confiscation of Palestinian lands, and demolition of Palestinian homes to "contain" non-Jewish neighborhoods.

In recent years, the Israeli Government has attempted to maintain amicable relations with all of the major religious denominations represented in Jerusalem, and

to facilitate their worship requirements. During the period covered by this report, relations between the Israeli Government and the Greek Orthodox Patriarchate (which represents the largest Christian community in Israel and the occupied territories) were strained by the Israeli Government's refusal to recognize the duly-elected Greek Orthodox Patriarch, Eirinaios I. According to a senior Patriarchate official, the Israeli Government withheld its recognition in an attempt to extract legal and political concessions from the Patriarchate. Many local Greek Orthodox Christians perceived the Government's actions as interference with the internal workings of their church. Another factor in the delay of recognition was that Jewish business associates of some of the defeated Patriarchal candidates reportedly have filed High Court challenges to the election, thereby preventing the Government from endorsing Eirinaios.

#### *Restrictions on Religious Freedom*

Since the outbreak of the Intifada, officials in the PA's Ministry of Waqf and Islamic Affairs have prohibited non-Muslims from entering the sanctuary of the Haram al-Sharif. Waqf officials claimed that this is a temporary closure that was implemented because they cannot justify allowing non-Muslims to visit the Haram al-Sharif at a time when Palestinian Muslims from the occupied territories are prevented from worshipping there. A 1995 ruling by the Israeli High Court of Justice theoretically allowed small numbers of Jews under police escort to pray on the Temple Mount/Haram al-Sharif. Israeli police consistently have declined to enforce this ruling, citing public safety concerns.

Personal status law for Palestinians is based on religious law. For Muslim Palestinians, personal status law is derived from Shari'a, and the varied ecclesiastical courts rule on personal status issues for Christians. In the West Bank and Gaza, Shari'a pertaining to women is part of the Jordanian Status Law of 1976, which includes inheritances and marriage laws. Under the law, women inherit less than male members of the family do. The marriage law allows men to take more than one wife, although few do so. Women are permitted to make "stipulations" in the marriage contract to protect them in the event of divorce and questions of child custody. However, only an estimated 1 percent of women take advantage of this section of the law, leaving most women at a disadvantage when it comes to divorce or child custody.

Due to the continued Intifada, violence escalated significantly during the period covered by this report. The violent confrontations that had erupted in September 2000 continued on an almost daily basis throughout the period covered by this report, and resulted in the deaths and injuries of thousands of persons.

Due to the increased violence and security concerns, the Israeli Government imposed closure on the occupied territories in October 2000, and this closure still was in place at the end of the period covered by this report. One result of the closure was to impede significantly freedom of access to places of worship for Muslims and Christians during the period covered by this report. Even before the outbreak of the Intifada in October 2000, Palestinians in the occupied territories were required to obtain a permit to enter Jerusalem. The Israeli Government frequently denied requests for permits, and Israeli security personnel at times denied permit holders access to Jerusalem, even to visit holy sites. During periods of closure, Palestinians from the occupied territories were prevented from traveling to pray inside the Haram al-Sharif. In practice Israeli closure policies prevented tens of thousands of Palestinians from reaching places of worship in Jerusalem and the West Bank, including during religious holidays, such as Ramadan, Christmas, and Easter. On a number of occasions, the Israeli Government also prevented worshippers under the age of 45 from attending Friday prayers inside the Haram al-Sharif. The Israeli Government stated that it did so in an effort to prevent outbreaks of violence following Friday prayers (see Section III). However, many Palestinians believe that the real purpose of closure is ethnically based harassment and humiliation. On April 12, 2002, there were minor clashes in Jerusalem near the Old City's Lion Gate after Israeli police barred male worshippers under the age of 40 from attending afternoon prayers. Those who were refused entry marched in protest and threw stones at the police. No injuries were reported.

During the period covered by this report, the Israeli Government's continued closure policy prevented a number of Palestinian religious leaders (both Muslim and Christian) from reaching their congregations. The Israeli Government pledged to create a "hotline" to facilitate the movement of clerics through checkpoints in March 2001; however, it had not done so by the end of the period covered by this report. In previous years, several clergymen reported that they were subject to harassment at checkpoints. The Government of Israel announced that it had arrested the Mufti

of Ramallah, interrogated him, and then expelled him from Jerusalem for attempting to attend prayers at al-Aqsa on Friday, September 14, 2001.

Palestinian violence against Israeli settlers prevented some settlers from reaching Jewish holy sites in the occupied territories during the period covered by this report. Some Israelis were unable to reach Jewish sites in the occupied territories such as Rachel's Tomb and the Tomb of the Patriarchs in Hebron due to the ongoing violence, including on religious holidays.

#### *Abuses of Religious Freedom*

Since the establishment of the PA, there have been periodic allegations that a small number of Muslim converts to Christianity at times are subjected to societal discrimination and harassment by PA officials, including detention and questioning by security forces. During the period covered by this report, there was one such allegation. The allegation could not be verified. With regard to other allegations of mistreatment in recent years, conversion may have been only one of several factors leading to the mistreatment. In previous years, the PA stated that it investigated such allegations; however, it did not make available the results of these investigations.

During the period covered by this report, several Christian religious leaders and lay members were deliberately mistreated or accidentally injured by Israeli forces. On April 4, 2002, patriarchs of several major Christian denominations in Jerusalem claimed that the IDF forcibly entered numerous churches in Bethlehem and Ramallah and mistreated clergymen. For example, the Syrian Orthodox Archbishop claimed that an IDF unit entered a Syrian Orthodox Church in Bethlehem, damaged property, and threatened a 70-year-old priest with a gun. On April 7, 2002, an Israeli army unit operating in Ramallah forced its way into the Lutheran Church of Hope and used the pastor as a human shield, forcing him to walk ahead of the unit into potentially hostile areas as it searched the premises. On April 8, another Israeli army unit similarly used a Christian religious leader, Reverend Ramez Ansara of the Lutheran Evangelical Church. On April 10, an IDF sniper shot and wounded an Armenian lay monk during the stand-off at the Church of the Nativity.

According to some Palestinian individuals and human rights organizations, Israeli soldiers at times arbitrarily enforced closure in such a way as to interfere with Muslim religious practices. In particular there were allegations that Israeli soldiers closed the al-Ram checkpoint at sundown late in 2001 during Ramadan, thereby preventing thousands of Muslims from returning home to break their fasts. There also were several unconfirmed accounts of IDF personnel at checkpoints coercing Palestinians into breaking their fasts during Ramadan as a condition for being allowed to pass through the checkpoint. There were no reports of any disciplinary action taken against the soldiers.

On June 4, 2001, the day that Muslims celebrated the Prophet Mohammed's birthday, IDF personnel closed the al-Ibrahimi mosque in Hebron in violation of the Hebron Protocol, which stipulates that the mosque should be available to Muslim worshippers on Muslim holidays. Israeli police personnel also arrested seven Muslims who were near the mosque.

Although it is difficult to assess culpability in the destruction of and damage to many places of worship in the occupied territories, their destruction or damage affects the practice of religion and religious freedom. Among the sites damaged were St. Mary's Convent, the chapel at Bethlehem University, the Lutheran Church and orphanage in Beit Jala, the Latin Convent in Beit Sahour, the Bethlehem Bible College, a Syrian Orthodox Church, the Russian Orthodox Pilgrim's House, and the Omar Ibn al-Khattab Mosque. The ninth century al-Khader Mosque in Nablus, reputed to be the oldest mosque in the occupied territories, and the church of Mar Mitri, the oldest Christian church in Nablus, both were destroyed.

Throughout the period covered by this report, there were credible accounts of Israeli soldiers acting on their own causing damage to Palestinian church property. In Bethlehem gun and tank fire damaged the Holy Family Hospital, the Lutheran Christmas Church, and the Dar al-Kalima Academy. Such damage often was extensive and included destruction of church and school property, including religious symbols. Damage in a number of these cases exceeded \$85,000, and the institutions have filed claims for restitution with the Israeli Government. The Israeli Government did not refurbish any of the places of worship that the IDF damaged while operating in the occupied territories, and denied requests for compensation submitted in that regard. The Government stated that it was not responsible for damages incurred during a state of war.

Armed action by Palestinian gunmen and members of the Palestinian security services against Israeli forces damaged some religious buildings. During an April 2002 armed standoff between Israeli forces and a group of approximately 160 Pales-

tinian gunmen, including PA security forces, the Church of the Nativity, the Latin (Roman Catholic) section of the Nativity compound, and the Greek Orthodox and Armenian monasteries sustained considerable material damage.

There were no reports of religious prisoners or detainees in the occupied territories.

#### *Forced Religious Conversions*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Generally there are amicable relations between Christians and Muslims. However, tensions do exist and occasionally surface. Relations between Jews and non-Jews, as well as among the different branches of Judaism, often are strained. Tensions between Jews and non-Jews exist primarily as a result of the Arab-Israeli conflict, as well as Israel's control of access to sites holy to Christians and Muslims. Non-Orthodox Jews have complained of discrimination and intolerance.

Societal attitudes are a barrier to conversions, especially for Muslims converting to Christianity. One senior Christian cleric reportedly quietly dissuaded a number of such prospective converts from being baptized in Jerusalem for fear that they would be ostracized by their families or subjected to violence. In previous years, there were reports that some Christian converts from Islam who publicized their religious beliefs were harassed.

There are some reports of Christian-Muslim tension in the occupied territories. For example, sectarian tensions were visible on January 31, 2002, after a Palestinian Christian taxi driver stabbed and killed a Muslim during a dispute at the Qalandiya checkpoint. That night male friends and relatives of the Muslim retaliated by attacking Christian-owned shops and residences in Ramallah. In addition there have been periodic accusations that Muslim Tanzim militia members deliberately opened fire on the Israeli neighborhood of Gilo from Christian areas in Beit Jala in order to draw IDF fire onto the Christian homes. Both Muslim and Christian Palestinians have accused Israeli officials of attempting to foster animosity among Palestinians by exaggerating reports of Muslim-Christian tensions.

Interfaith romance is a sensitive issue. Most Christian and Muslim families in the occupied territories encourage their children—especially their daughters—to marry within the faith. Couples that have challenged this societal norm have encountered considerable societal and familial opposition. Some Christian women who have married Muslim men received death threats from Christian family members and community figures.

In general evangelical churches have not been welcomed by the more established Christian denominations.

The strong correlation between religion, ethnicity, and politics in the occupied territories at times imbues the Israeli-Palestinian conflict with a religious dimension. The rhetoric of some Jewish and Muslim religious leaders has been harsher since the outbreak of the Intifada in October 2000. During the first year of the Intifada there were also a number of attacks on Muslim and Jewish places of worship and religious shrines in the occupied territories.

There again were some reports of settler violence against Palestinian places of worship during the period covered by this report. On October 21, 2001, Israeli settlers vandalized the al-Kayyal Mosque in Hebron.

During the period covered by this report, Muslims on the Temple Mount/Haram al-Sharif on several occasions threw stones over a high wall onto the Western Wall plaza where Jews were praying.

The rhetoric of some Jewish and Muslim religious leaders was harsh and at times constituted an incitement to violence during the period covered by this report. For example, PA-controlled television stations frequently broadcast anti-Semitic statements by Palestinian political and spiritual leaders and PA officials. Some prominent Israelis also made public anti-Arab statements.

Instances of ultra-Orthodox Jewish groups verbally or physically harassing Jewish citizens for “immodest dress” or other violations of their interpretation of religious law occurred in previous years. There also were instances of ultra-Orthodox Jews harassing Christians and Muslims. On several occasions during the period covered by this report, a group of ultra-Orthodox Jews known as the “Temple Mount Faithful” attempted to force their way inside the Haram al-Sharif/Temple Mount. In addition, the same group periodically attempted to lay a cornerstone for the building of a new Jewish temple that would replace the Islamic Dome of the Rock shrine, an

act that local Muslims considered an affront. On May 13, 2002, a group of Haredim (ultra-Orthodox Jews) interrupted an evangelical Christian conference in Jerusalem and threw a stink bomb into the congregation. Conference organizers accused the Haredim of stealing sound equipment during the incident.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Consulate General in Jerusalem maintains an ongoing, dialog with officials in the Palestinian Authority, and (in conjunction with Embassy Tel Aviv) with Israeli officials on human rights issues, including issues of religious freedom. The Consulate also maintains contacts with representatives of the Islamic Waqf—an Islamic trust and charitable organization that owns and manages large amounts of real estate, including the al-Aqsa mosque in Jerusalem—as well as with the various Christian churches and Jewish communities in Jerusalem.

The Consulate investigates allegations of abuses of religious freedom. During the period covered by this report, the Consulate investigated a range of charges, including allegations of damage to places of worship, allegations of incitement, and allegations concerning access to holy sites.

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## JORDAN

The Constitution provides for freedom of religion, provided that religious practices are consistent with “public order and morality;” however, the Government continued to impose some restrictions on freedom of religion during the period covered by this report. According to the Constitution, Islam is the state religion.

There was no change in the status of respect for religious freedom during the period covered by this report. Members of unrecognized religious groups and religious converts from Islam face legal discrimination and bureaucratic difficulties in personal status cases. The Government prohibits non-Muslims from proselytizing Muslims.

Relations between Muslims and Christians in the country generally are amicable. Adherents of unrecognized religions face some societal discrimination.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 55,436 square miles and its population is approximately 5 million persons. Over 95 percent of the population are Sunni Muslim. Official government figures estimate that Christians make up 4 percent of the population; however, government and Christian officials privately estimate the true figure to be closer to 3 percent. There also are at least 20,000 Druze, a small number of Shi’a Muslims, and less than 800 adherents of the Baha’i faith. There are no statistics available regarding the number of atheists or persons who are not adherents of any particular religious faith.

Officially recognized Christian denominations include the Greek Orthodox, Roman Catholic, Greek Catholic (Melkite), Armenian Orthodox, Maronite Catholic, Assyrian, Anglican, Lutheran, Seventh-Day Adventist, United Pentecostal, and Presbyterian Churches. Other churches, including the Baptist Church, the Free Evangelical Church, the Church of the Nazarene, the Assembly of God, and the Christian Missionary Alliance, are registered with the Ministry of Justice as “societies,” but not as churches. Some Egyptian immigrants are adherents of Coptic Church. There also are a number of Chaldean and Syriac Christians and Muslim Shi’a represented in the immigrant Iraqi population.

With few exceptions, there are no major geographic concentrations of particular religious groups. The cities of Husn, in the north, and Fuheis, near Amman, are predominantly Christian. Madaba and Karak, both south of Amman, have significant Christian populations. The northern part of the city of Azraq is predominantly Druze, as is Umm Al-Jamal in the city of Mafraq. There also are significant populations of Druze in Amman and Zarka, and a smaller number of Druze in Irbid and Aqaba. There are a number of nonindigenous Shi’a living in the Jordan Valley and the south.

Foreign missionaries operating in the country include the Church of Jesus Christ of Latter-Day Saints (Mormons); Jehovah’s Witnesses; Campus Crusaders for Christ; Life Agape; Intersity; Navigators; Christar; Arab World Ministries; Operation Mobilization; Southern Baptist International Mission Board; the Conservative Baptist; Frontiers; Brother Andrew; the Jesuits; Christian Brothers; Rosary Sisters;

Benedictines; Anglican Church Mission Society; the Society of Friends (Quakers); Comboni Sisters; Little Sisters of Jesus; the Religious of Nazareth; Sisters of St. Dorothy; the Daughters of Mary the Helper (Salesian Sisters); the Little Sisters of Nazareth; the Little Family of the Annunciation; Sisters of St. Joseph of the Apparition; Basiliennes Chouerites; Focolare Sisters; Franciscans (OFM); Sons of Divine Providence (Don Orione Fathers); Association Fraternal International (AFI); Institute of the Incarnate Word; Franciscans of the Cross; Dominican Sisters of St. Catherine; Franciscan Missionaries of Mary (FMM); Franciscan Missionaries of the Immaculate Heart of Mary; Daughters of Mary of the Enclosed Garden; Theresian Institute; and the Missionaries of Charity.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for the protection of "all forms of worship and religious rites in accordance with the customs observed in the Kingdom, unless such is inconsistent with public order or morality;" however, the Government imposes some restrictions on freedom of religion. The Constitution also provides that "there shall be no legal discrimination with regard to Jordanians' rights and duties based on race, language, or religion;" however, those who are members of religions not recognized by Shari'a law (members of religions other than Judaism, Christianity and Islam) and those who convert from Islam may face legal discrimination and bureaucratic difficulties in personal status cases.

According to the Constitution, Islam is the state religion. Neither Islam nor the Government recognize religious faiths other than the three main monotheistic religions: Islam, Christianity, and Judaism. While Christianity is recognized as a religion and non-Muslim citizens may profess and practice the Christian faith, churches must be accorded legal recognition through administrative procedures in order to own land and to perform marriages and other sacraments. Since 1998 the Prime Minister unofficially has conferred with an interfaith council of bishops representing officially registered local churches on all matters relating to the Christian community, including the registration of new churches in the country. The Government uses the following criteria when considering official recognition of Christian churches: the faith does not contradict the nature of the Constitution, public ethics, customs, or traditions; the faith is recognized by the Middle East Council of Churches; the faith does not oppose the national religion; and the group includes some citizen followers.

According to the Government, the role of the State in religious affairs is limited to supervision. Groups that have practices that violate the law and the nature of Jordanian society are prohibited; however, in practice, there were no reports that religious groups were banned.

Religious institutions, such as churches that wish to receive official government recognition, must apply to the Prime Ministry for registration. Recognized non-Muslim religious institutions do not receive subsidies; they are financially and administratively independent from the Government and are tax-exempt.

Religious instruction is mandatory for all Muslim students in public schools. Christian and Baha'i students are not required to attend courses in Islam. In 1996 the late King Hussein and the Ministry of Education approved religious instruction for Christian students in public schools. In 1998 the Government launched an experimental program in four districts to incorporate Christian education in the public school curriculum. In 1999 the local Council of Bishops approved the use of the Syrian model of catechism in these test districts; however, the program has not progressed due to a lack of attention by either the Ministry of Education or the local Christian hierarchy.

The Constitution provides that congregations have the right to establish schools for the education of their own members "provided that they comply with the general provision of the law and are subject to the control of government in matters relating to their curricula and orientation."

The Muslim feasts of Eid al-Adha, Eid al-Fitr, the Prophet Mohammed's Birthday, the Prophet's Ascension, and the Islamic New Year are celebrated as national holidays. Christmas and the Gregorian Calendar New Year also are national holidays. Easter is a government holiday for Christians and Christians may request leave for other Christian feasts prescribed by the local Council of Bishops.

There are two major government-sponsored institutions that promote interfaith understanding: The Royal Institute for Interfaith Studies and the Royal Academy for Islamic Civilization Research (al-Bayt Foundation). Both institutions sponsor research, international conferences, and discussions on a wide range of religious, social, and historical questions from the perspective of both Muslims and Christians.

The Government facilitated holding an international Christian conference in government facilities in May 2001 and planned to hold another conference during the summer of 2002.

*Restrictions on Religious Freedom*

The Government does not recognize the Druze or Baha'i Faiths as official religions but does not prohibit the practice of these faiths. Druze face official discrimination but do not complain of social discrimination. Baha'is face both official and social discrimination. The Government does not record the bearer's religion on national identity cards issued to Druze or Baha'is. The small Druze and Baha'i communities do not have their own courts to adjudicate personal status and family matters; such matters are heard in Shari'a courts. The Government does not officially recognize the Druze temple in Azraq, and four social halls belonging to the Druze are registered as "societies." The Government does not permit Baha'is to register schools or places of worship.

The Government does not recognize Jehovah's Witnesses, the Church of Christ, or the Church of Jesus Christ of Latter-Day Saints, but each denomination is allowed to conduct religious services and activities without interference.

The Government does not interfere with public worship by the country's Christian minority. Although the majority of Christians are allowed to practice freely, some activities, such as encouraging Muslims to convert to Christianity, which is considered legally incompatible with Islam—are prohibited.

In June 2000, the Government closed an Arab Orthodox church in Amman that was aligned with the Antioch Patriarch in Damascus, Syria, due to a dispute stemming from an intrachurch rivalry between the Jerusalem Patriarchate and the Antioch Orthodox Patriarchate. Both are members of the Greek Orthodox Church but are affiliated with different geographical divisions. The Government closed the church following a request from the local Orthodox hierarchy to enforce a 1958 law that grants the Jerusalem Patriarchate authority over all Orthodox churches in the country. The church reopened in December 2000 with permission from the Government, but was closed again 1 week later based largely on pressure from the Orthodox hierarchy. The Government stated that the church was free to open under a different name that would not imply affiliation with the Orthodox Church. The church remained closed at the end of the period covered by this report (see Section III).

Shari'a law prohibits non-Muslims from proselytizing Muslims. Conversion to the Muslim faith by Christians is allowed; however, a Muslim may not convert to another religion. The small number of Muslims who convert to other faiths claim of social and government discrimination. The Government does not fully recognize the legality of such conversions. Under Shari'a converts are regarded as apostates and legally may be denied their property and other rights. However, in practice this principle is not applied. According to the Government, it neither encourages nor prohibits apostasy. However, converts from Islam do not fall under the jurisdiction of their new religion's laws in matters of personal status and still are considered Muslims under Shari'a. Converts to Islam remain under the jurisdiction of the Shari'a courts. Shari'a law prescribes the death penalty for Muslims who convert to another religion; however, there is no corresponding statute under national law, and such punishment never has been applied.

According to one Christian cleric, the Government generally does not prohibit citizens from proselytizing if it is within the limits of the law and based on "the principle of maintaining personal security and safety and provided that it does not contradict the customs and traditions of society." Government policy requires that foreign missionary groups (that the Government believes are not familiar with the customs and traditions of Jordanian society) refrain from public proselytizing "for the sake of their own personal safety from fundamentalist members of society that oppose such practices."

In the past, the Government has taken action against some Christian proselytizers in response to the complaints of recognized Christian groups who charged that the activities of these missionaries "disrupt the cohesiveness and peace between religious groups in the society."

In the past, there have been some reports of local government officials encouraging Christian females involved in relationships with Muslim males to convert to Islam to diffuse family or tribal disputes caused by the relationship (see Section III). However, there were no known cases in which local officials harassed or coerced individuals to convert during the period covered by this report.

Noncitizen Christian missionaries operate in the country but are subject to restrictions. Christian missionaries may not proselytize Muslims. During the period covered by this report, Christian mission groups in the country complained of difficulty in dealing with local intra-church politics.

In February 2000, the governor of the Amman municipality closed the office of Life Agape—an organization associated with the Baptist Church—after the director refused to sign a letter stating that he would not “deal with Muslims.” The office was closed indefinitely. The members of the organization currently were meeting at a Baptist Church in Amman, without objection from the Amman municipality, to pursue their activities, at the end of the period covered by this report.

In April and September 1999, a foreign employee of a small language school in Amman applied for a residence permit from the Ministry of Interior. His application was denied, reportedly because government officials believed that he had been attempting to convert Muslims to Christianity. He reapplied in April 2000 and continued to await a response from the Government at the end of the period covered by this report.

The Jordan Evangelical Theological Seminary (JETS), a Christian training school for pastors and missionaries, still had not been accredited by the end of the period covered by this report. As a result, students and faculty from the U.S. and elsewhere wishing to attend JETS still were unable to obtain student visas. JETS continued its operations with students studying on tourist visas.

Of the 80 seats in the Lower House of Parliament, 9 are reserved for Christians. No seats are reserved for Druze or adherents of other religious faiths. In June 2001, the King dissolved Parliament and charged the Government with drafting a new election law. The country’s parliamentary election law historically has limited the number of Islamists elected to Parliament. The major Islamic political party boycotted the 1997 elections, stating that the election law must be amended before it would participate in future elections. In March 2000, Jordan University amended the student council election law, granting the university president the authority to appoint half of the university’s 80-member student council, including the chairmanship. This decision reportedly was made to curb the influence of Islamists on campus.

The Political Parties Law prohibits houses of worship from being used for political activity. The law was designed primarily to prevent Islamist politicians from preaching in mosques.

The Press and Publications Department continued its April 2000 ban on a book of poetry by Ziyad Al-Anani. The book contained a poem that reportedly was offensive to Islam.

In early 2000, radical Islamists criticized a poem published by Muslim poet Musa Hawamdeh. In March 2000, the Government banned the book in which the poem was published. In June 2000, Hawamdeh was summoned to a Shari’a court to face allegations of apostasy. In July 2000, Hawamdeh, without retracting any portion of his poem, was acquitted on all charges in both the Shari’a and civil courts. After Hawamdeh’s acquittal, he was subpoenaed in October 2001 by the Shari’a Court because of technicalities in his previous case, which may allow him to be tried again. Since October 2001, there has been no further activity with regarding to the retrial, and most legal experts believe that Hawamdeh would be acquitted if tried again. However, some observers believe that the procedural error is being used as a pretext to continue harassing the poet.

The Ministry of Religious Affairs and Trusts manages Islamic institutions and the construction of mosques. It also appoints imams, provides mosque staff salaries, manages Islamic clergy training centers, and subsidizes certain activities sponsored by mosques. The Government loosely monitors sermons at mosques and requires that speakers refrain from criticizing the royal family or instigating social or political unrest.

According to the Constitution, religious community trusts (“Awqaf”) and matters of personal status such as marriage, divorce, child custody, and inheritance, fall within the exclusive jurisdiction of the Shari’a courts for Muslims, and separate non-Muslim tribunals for each religious community recognized by the Government. There is no provision for civil marriage or divorce. The head of the department that manages Shari’a court affairs (a cabinet-level position) appoints Shari’a judges, while each recognized non-Muslim religious community selects the structure and members of its own tribunal. All judicial nominations are approved by the Prime Minister and commissioned officially by royal decree. The Protestant denominations registered as “societies” come under the jurisdiction of one of the recognized Protestant church tribunals. There are no tribunals assigned for atheists or adherents of unrecognized religions. Such individuals must request one of the recognized courts to hear their personal status cases.

Shari’a is applied in all matters relating to family law involving Muslims or the children of a Muslim father, and all citizens, including non-Muslims, are subject to Islamic legal provisions regarding inheritance.

All minor children of a male citizen who converts to Islam automatically are considered to be Muslim. Adult children of a male Christian who has converted to Islam become ineligible to inherit from their father if they do not themselves convert to Islam. In cases in which a Muslim converts to Christianity, the conversion is not recognized legally by the authorities, and the individual continues to be treated as a Muslim in matters of family and property law. The minor children of a male Muslim who converts to Christianity continue to be treated as Muslims under the law.

In 1998 custody of the children of a Christian woman living in Irbid was granted, against her will, to the Muslim brother of her deceased husband. A civil court held that Shari'a law revoked the mother's custody of the children because she had failed to raise them as Muslims. The children had been raised as Christians because both their mother and father originally were Christian. Their father converted to Islam shortly before his death. As a result of his conversion, the children were considered to be Muslim as a matter of Shari'a law. However, the mother, lawfully remained Christian. The civil court rejected the mother's final appeal in February 2002; however, the court's final judgment had yet to be enforced by the end of the period covered by this report.

Some Christians are unable to divorce under the legal system because they are subject to their faith's religious court system, which does not allow divorce. Many such individuals convert to another Christian denomination or the Muslim faith in order to divorce legally.

The Government notes individuals' religions (except for Druze, Baha'is, and other unrecognized religions) on the national identity card and "family book" (a national registration record that is issued to the head of every family and that serves as proof of citizenship) of all citizens. Atheists must associate themselves with a recognized religion for official identification purposes."

The Government traditionally reserves some positions in the upper levels of the military for Christians; however, all senior command positions traditionally have been reserved for Muslims. Division-level commanders and above are required to lead Islamic prayer for certain occasions. There is no Christian clergy in the military.

During the Muslim holy month of Ramadan, all citizens, including non-Muslims, are discouraged from eating, drinking, or smoking in public or in vehicles and are discouraged strongly from dressing in a manner that is considered inconsistent with Islamic standards. Restaurants are closed during daylight hours unless specifically exempted by the Government. Only those facilities catering specifically to tourists are allowed to remain open during the daytime and sell alcohol during the month of Ramadan.

Under Shari'a as applied in the country, female heirs receive half the amount of a male heir's inheritance, and non-Muslim widows of Muslim spouses have no inheritance rights. A sole female heir receives half of her parents' estate; the balance goes to designated male relatives. A sole male heir inherits both of his parents' property. Male Muslim heirs have the duty to provide for all family members who need assistance. Men are able to divorce their spouses more easily than women are, although a law passed in December 2001 allows women to divorce their husbands in Shari'a Court. Since the law went into effect, Shari'a courts have granted two divorces brought by women.

Shari'a as applied in the country regards the testimony of a woman to be equal to half that of a man. This provision technically applies only in religious courts; however, in the past it has been imposed in civil courts as well, regardless of religion.

#### *Abuses of Religious Freedom*

There were no reports of religious detainees or prisoners who remained in custody at the end of the period covered by this report; however, the security services detained approximately 50 persons, described in the press as "Islamists" in 2000 and 2001. Such detentions were related to allegations of involvement in terrorist or strictly political activities rather than religious affiliation or belief.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States. However, according to the law the father of the child may restrict a child's travel. There reportedly are at least 39 cases of U.S. citizen children residing in Jordan against the will of their U.S. citizen mothers. Under the law, such children are considered Muslim if their fathers are Muslim.

*Improvements and Positive Developments in Respect for Religious Freedom*

Despite efforts by Islamic fundamentalists, the criminal court and Shari'a court acquitted poet Musa Hawamdeh of charges that he had "insulted religious values and defamed prophets" in a poem he wrote. Although an effort is underway to retry him, most legal experts believe he would be acquitted again.

## SECTION III. SOCIETAL ATTITUDES

Relations between Muslims and Christians in the country generally are amicable. Relations within the Christian community sometimes are difficult, especially among the evangelical Christian community. There are disputes between and within different Christian denominations. In June 2000, due to a dispute stemming from an intrachurch rivalry between the Jerusalem Patriarchate and the Antioch Orthodox Patriarchate, the Government closed an Arab Orthodox church in Amman, which was aligned with the Antioch Patriarch in Damascus, Syria (see Section II).

In general Christians do not suffer discrimination. Christians hold high-level government and private sector positions and are represented in the media and academia approximately in proportion to their presence in the general population. Senior command positions in the military traditionally have been reserved for Muslims (see Section II). Baha'is face some societal and official discrimination. Employment applications occasionally contain questions about an applicant's religion.

The majority of the indigenous population views religion as central to personal identity and religious conversions are not tolerated widely. Muslims who convert to other religions often face social ostracism, threats, and abuse from their families and Muslim religious leaders. There is anecdotal evidence that the number of romantic relationships between members of different religions is growing. Such relationships, which ultimately may lead to conversion (either to the Muslim or Christian faiths) usually, are strongly discouraged by the families. Interfaith relationships may lead to ostracism and, in some cases, violence against the couple, or feuds between members of the couple's families. When such situations arise, families may approach local government officials for resolution. There were reports that in some cases, local government officials encouraged Christian women involved in relationships with Muslim men to convert to Islam in order to defuse potential family or tribal problems; however, during the period covered by this report, there were no known cases in which local officials harassed or coerced persons to convert from Christianity to Islam. In previous years, when the Government intervened in such cases, it at times placed the women concerned into "protective custody" to prevent retribution by one of the families. During the period covered by this report, there were some cases of mixed faith married couples seeking to emigrate to other countries because of the negative family and societal reactions to their marriages.

During the period covered by this report, local newspapers occasionally published articles critical of evangelical organizations.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

U.S. Embassy officials raised religious freedom and other human rights issues with government authorities on a number of occasions. Embassy officers met frequently with members of the various religious and missionary communities in the country, as well as with private religious organizations. Embassy officers assisted private religious groups to obtain official registration during the period covered by this report. The Embassy's American Citizens' Services officer is in regular contact with members of the American missionary community in the country.

In February 2002, the Embassy sponsored a successful program on religious tolerance by Dr. David Forte, a professor of law at Cleveland State University. In January 2001, the Embassy sponsored a successful program on interreligious dialog and tolerance by Dr. Mahmoud Ayoub, a professor of religion at a university in the United States.

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**KUWAIT**

The constitution provides for freedom of religion, however, the Government places some limits on this right. The Constitution also provides that the State protect the freedom to practice religion in accordance with established customs, "provided that

it does not conflict with public policy or morals." Islam is the state religion. The Constitution states that Shari'a (Islamic law) is "a main source of legislation."

There was some improvement in the status of respect for religious freedom during the period covered by this report. The Government approved the construction of three new Shi'a mosques. An Apostolic Nunciature was established in the country to represent Vatican interests in the region.

The generally amicable relationship among religions in society contributed to religious freedom.

The U. S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country's total area is 6,880 square miles, and its population is 2.25 million. Of the country's total population, approximately 1.6 million persons are Muslim, including the vast majority of its 855,000 citizens. The remainder of the overall population consists of the large foreign labor force and approximately 70,000 Arabs with residence ties to Kuwait who claim to have no documentation of their nationality. While the national census does not distinguish between Sunni and Shi'a adherents, the ruling family and many prominent families belong to the Sunni branch of Islam. The total Sunni Muslim population is well over 1 million, approximately 525,000 of whom are citizens. The remaining 30 to 40 percent of Muslim citizens (approximately 250,000–350,000) are Shi'a, as are approximately 100,000 noncitizen residents. Estimates of the nominal Christian population range from 250,000 to 500,000 (including approximately 200 citizens, most of whom belong to 12 large families).

The Christian community includes the Roman Catholic Diocese, with 2 churches and an estimated 100,000 members (Maronite Christians also worship at the Catholic cathedral in Kuwait city); the Anglican (Episcopalian) Church, with 115 members (several thousand other Christians use the Anglican Church for worship services); the National Evangelical Church (Protestant), with 3 main congregations (Arabic, English, and "Malayalee") and 15,000 members (several other Christian denominations also worship at the National Evangelical Church Compound); the Greek Orthodox Church (referred to locally as the "Roman Orthodox" Church), with 3,500 members; the Armenian Orthodox Church, with 4,000 members; the Coptic Orthodox Church, with 70,000 members; and the Greek Catholic (Eastern Rite) Church, whose membership totals are unavailable. In September 2001, the diplomatic relations between the Vatican and Kuwait were upgraded to ambassadorial status.

There are many other unrecognized Christian denominations in the country, with tens of thousands of members. These denominations include Seventh-Day Adventists, the Church of Jesus Christ of Latter-Day Saints (Mormons), Marthoma, and the Indian Orthodox Syrian Church.

There are also members of religions not sanctioned in the Koran, such as Hindus (100,000 adherents), Sikhs (10,000), Baha'is (400), and Buddhists (no statistics available).

There are no available statistics on the number of atheists.

Missionary groups in the country serve non-Muslim congregations.

#### SECTION II: STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion; however, the Government places some limits on this right. The Constitution also provides that the State protect the freedom to practice religion in accordance with established customs, "provided that it does not conflict with public policy or morals." Islam is the state religion. The Constitution states that Shari'a is "a main source of legislation." The Government observes Islamic holidays.

The procedures for registration and licensing of religious groups are unclear. The Ministry of Awqaf and Islamic Affairs has official responsibility for overseeing religious groups. Officially recognized churches must deal with a variety of government entities, including the Ministry of Social Affairs and Labor (for visas and residence permits for pastors and other staff) and the municipality of Kuwait (for building permits). While there reportedly is no official government "list" of recognized churches, seven Christian churches have at least some form of official recognition that enables them to operate openly. These seven churches have open "files" at the Ministry of Social Affairs and Labor, allowing them to bring in the pastors and staff necessary to operate their churches. Further, by tradition three of the country's churches are widely recognized as enjoying "full recognition" by the Government and are allowed to operate compounds officially designated as churches: The Catholic

Church (both the Roman Catholic Church and the Maronite Church), the Anglican Church, and the National Evangelical Protestant Church of Kuwait.

The other four churches reportedly are allowed to operate openly, hire employees, invite religious speakers, etc., all without interference from the Government; however, their compounds are, according to government records, registered only as private homes. Church officials themselves appear uncertain about the guidelines or procedures for recognition. Some claim that these procedures are purposely kept vague by the Government to maintain the status quo. No other churches and religions have legal status but they are allowed to operate in private homes.

The procedures for registration and licensing of religious groups also appear to be connected with government restrictions on nongovernmental organizations (NGO's), religious or otherwise. In 1993 all unlicensed organizations were ordered by the Council of Ministers to cease their activities. This order never has been enforced; however, since that time all but three applications by NGO's have been frozen. There were reports that in the last few years at least two groups have applied for permission to build their own churches, but the Government has not responded to their requests. After the September 11, 2001, terrorist attacks, the Government announced in October 2001 that all unlicensed branches of Islamic charities would be closed by the end of 2002. In August 2002, the Acting Minister of Social Affairs and Labor issued a ministerial decree to create a charitable organizations department within the Ministry of Social Affairs and Labor. The new department will regulate Kuwaiti based religious charities by reviewing their applications for registration, monitor the operations of charities, and establish a new accounting system to comply with regulations of charity based operations.

#### *Restrictions on Religious Freedom*

Shi'a are free to conduct their traditional forms of worship without government interference; however, members of the Shi'a community have expressed concern about the scarcity of Shi'a mosques due to the Government's slow approval of the construction of new Shi'a mosques and the repair of existing mosques. (There are approximately 36 Shi'a mosques, compared to 1,300 Sunni mosques, in the country.) During the period covered by this report, the Government continued to address these concerns by approving the construction of three new Shi'a mosques. The Shi'a appellate court for family law cases and the Shi'a charity authority established in 2001 reportedly are operating smoothly.

Shi'a leaders also have claimed that Shi'a who aspire to serve as imams are forced to seek appropriate training and education abroad due to the lack of Shi'a jurisprudence courses at Kuwait University's College of Islamic Law, which only offers Sunni jurisprudence courses. However, to address this longstanding concern the Ministry of Education currently is reviewing an application to establish a private college to train Shi'a clerics within the country. If approved the new college could reduce Shi'a dependence on foreign study, particularly in Iran, for the training of Shi'a clerics.

The Roman Catholic, Anglican, National Evangelical, Greek Orthodox, Armenian Orthodox, Coptic Orthodox, and Greek Catholic Churches operate freely on their compounds, holding worship services without government interference. These leaders also state that the Government generally has been supportive of their presence, even providing police security and traffic control as needed. Other Christian denominations (including Mormons, Seventh-Day Adventists, Marthoma, and Indian Orthodox) are not recognized legally, but are allowed to operate in private homes or in the facilities of recognized churches. Members of these congregations have reported that they are able to worship without government interference, provided that they do not disturb their neighbors and do not violate laws regarding assembly and proselytizing.

Members of religions not sanctioned in the Koran, such as Hindus and Buddhists, may not build places of worship, but are allowed to worship privately in their homes without interference from the Government.

In January 2002, after mounting pressure from Kuwaiti residents in the district of Salwa, the Government ordered the closure of the Sikh temple, Gurudwara. Sikhs who worshipped in Gurudwara temple must now worship at another Sikh temple.

The Government prohibits missionaries from proselytizing to Muslims; however, they may serve non-Muslim congregations. The law prohibits organized religious education for religions other than Islam, although this law is not enforced rigidly. Informal religious instruction occurs inside private homes and on church compounds without government interference. However, there were reports that government inspectors from the Awqaf Ministry periodically visit public and private schools outside of church compounds to ensure that religious teaching other than Islam does not take place. The Roman Catholic Church has requested that Catholic students

be allowed to study the catechism separately during the period in which Muslim students receive mandatory instruction in Islam. The Government did not respond to the request.

The Roman Catholic Church faces problems of overcrowding at its two official church facilities. Its cathedral in downtown Kuwait City regularly draws as many as 100,000 worshippers to its more than 30 weekly services. Due to limited space on the compound, the church is unable to construct any new buildings.

The Government recently notified the Coptic Church of its intention to reacquire the parcel of land on which the country's only Coptic church is located for a road project, which will begin in 2 years. The Government plans to grant the Church a land parcel of equal or greater size in the same general vicinity to relocate the church, but it has not guaranteed financial assistance to construct a new church.

The Government does not permit the establishment of non-Islamic publishing companies or training institutions for clergy. Nevertheless, several churches publish religious materials for use solely by their congregations. Further, some churches, in the privacy of their compounds, provide informal instruction to individuals interested in joining the clergy.

A private company, the Book House Company Ltd., is permitted to import a significant number of Bibles and other Christian religious material—including, as of early 2000, videotapes and compact discs—for use solely among the congregations of the country's recognized churches. The Book House Company is the only bookstore that has an import license to bring in such materials, which also must be approved by government censors. There have been reports of private citizens having non-Islamic religious materials confiscated by customs officials upon arrival at the airport.

Although there is a small community of Christian citizens, a law passed in 1980 prohibits the naturalization of non-Muslims. However, citizens who were Christians before 1980 (and children born to families of such citizens since that date) are allowed to transmit their citizenship to their children.

According to the law, a non-Muslim male must convert to Islam when he marries a Muslim woman if the wedding is to be legal in the country. A non-Muslim female is not required to convert to Islam to marry a Muslim male, but it is to her advantage to do so. Failure to convert may mean that, should the couple later divorce, the Muslim father would be granted custody of any children.

Women continue to experience legal and social discrimination. In the family courts, one man's testimony is sometimes given the same weight as the testimony of two women; however, in the civil, criminal, and administrative courts, the testimony of women and men is considered equally. Unmarried women 21 years old and over are free to obtain a passport and travel abroad at any time. However, married women who apply for passports must obtain their husbands' signature on the application form. Once she has a passport, a married woman does not need her husband's permission to travel, but he may prevent her departure from the country by contacting the immigration authorities and placing a 24-hour travel ban on her. After this 24-hour period, a court order is required if the husband still wishes to prevent his wife from leaving the country. All minor children must have their father's permission to travel outside of the country.

Inheritance is governed by Islamic law, which differs according to the branch of Islam. In the absence of a direct male heir, Shi'a women may inherit all property, while Sunni women inherit only a portion, with the balance divided among brothers, uncles, and male cousins of the deceased.

The law requires jail terms for journalists who ridicule religion. There were no reports during the period covered by this report of Islamists using this law to threaten writers with prosecution for publishing opinions deemed insufficiently observant of Islamic norms as had occurred in the past, nor were there any instances of religiously based prosecutions of authors or journalists.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States. There have been cases in which U.S. citizen children have been abducted from the United States and not allowed to return (under the law, the father receives custody in such cases, and his permission is required for the children to leave the country); however, there were no reports that such children were forced to convert to Islam, or that forced conversion was the reason that they were not allowed to return.

*Improvements and Positive Developments in Respect For Religious Freedom*

The overall situation for Shi'a improved during the period covered by this report. The Government approved the construction of three new Shi'a mosques in addition to the three that were approved in 2001, bringing the total to 36 Shi'a mosques in the country. The Government is currently considering a request to establish a Shi'a "Supreme Court" to handle matters of family law. Shi'a leaders no longer express concern that proposed legislation in the National Assembly does not take their beliefs into account.

An Apostolic Nunciature (Vatican embassy), headed by an Apostolic Nuncio (Ambassador), accredited to Kuwait, Bahrain, and Yemen, was upgraded from charge d'affaires to full ambassadorial status in September 2001, to represent Vatican interests in the region. The Vatican Ambassador is resident in Kuwait City. The Catholic Church views the Government's agreement to upgrade to full diplomatic relations with the Vatican as significant in terms of government tolerance of Christianity.

## SECTION III. SOCIETAL ATTITUDES

In general there are amicable relations among the various religions, and citizens generally are open and tolerant of other religions, although there is a small minority of ultraconservatives opposed to the presence of non-Muslim groups.

While some discrimination based on religion reportedly occurs on a personal level, most observers agree that it is not widespread. There is a perception among some domestic employees and other members of the unskilled labor force, particularly nationals of Southeast Asian countries, that they would receive better treatment from employers as well as society as a whole if they converted to Islam. However, others do not see conversion to Islam as a factor in this regard.

The conversion of Muslims to other religions is a very sensitive matter. While such conversions reportedly have occurred, they have been done quietly and discreetly. Muslim conversions that become public are likely to cause hostility within society.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of the promoting human rights.

U.S. Embassy officials frequently meet with representatives from Sunni, Shi'a, and various Christian groups. Intensive monitoring of religious issues has long been an embassy priority. Embassy officers have met with most of the leaders of the country's recognized Christian churches, as well as representatives of various unrecognized faiths. Such meetings have afforded embassy officials the opportunity to learn the status and concerns of these groups.

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**LEBANON**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there are some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report. Discrimination based on religion is built into the system of government.

Citizens still are struggling with the legacy of a 15-year civil war fought along religious lines. There are periodic reports of friction between religious groups; however, it frequently is difficult to distinguish between political and religious differences. There are no legal barriers to proselytizing; however, traditional attitudes and edicts of the clerical establishment discourage such activity.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 4,035 square miles, and its population is approximately 3.6 million. Because the matter of religious balance is such a sensitive political issue, a national census has not been conducted since 1932, before the founding of the modern Lebanese State. Consequently there is an absence of accurate data on the relative percentages of the population of the major religions and groups. Most observers believe that Muslims, at approximately 70 percent of the population, make up the majority, but Muslims do not represent a homogenous group. There

also are a variety of other religious groups, primarily Christian denominations, which constitute approximately 23 percent of the population, as well as a small Jewish population. There are also some very small numbers of Baha'is, Buddhists, and Hindus in the country. There are some atheists in the country.

There are 18 officially recognized religious groups. Their ecclesiastical and demographic patterns are extremely complex. Divisions and rivalries between groups date back as far as 15 centuries, and still are a factor today. The pattern of settlement has changed little since the Seventh century, although there has been a steady numerical decline in the number of Christians compared to Muslims. The main branches of Islam are Shi'a and Sunni. Since the Eleventh century, there has been a sizable Druze presence, concentrated in rural, mountainous areas east and south of Beirut. The smallest Muslim minorities are the Alawites and the Ismaili ("Sevener") Shi'a order. The "Twelver" Shi'a, Sunni, and Druze each have state-appointed clerical bodies to administer family and personal status law through their own religious courts, which are subsidized by the State. The Maronites are the largest of the Christian groups. They have had a long and continuous association with the Roman Catholic Church, but have their own patriarch, liturgy, and customs. The second largest Christian group is the Greek Orthodox Church (composed of ethnic Arabs who maintain a Greek-language liturgy). The remainder of the Christians are divided among Greek Catholics, Armenian Orthodox (Gregorians), Armenian Catholics, Syrian Orthodox (Jacobites), Syrian Catholics, Assyrians (Nestorians), Chaldeans, Copts, evangelicals (including Protestant groups such as the Baptists, Seventh-Day Adventists, and Friends), and Latins (Roman Catholic).

There are a number of foreign missionaries in the country, primarily from Catholic and evangelical Christian churches.

The country's religious pluralism and climate of religious freedom have attracted many persons fleeing alleged religious mistreatment and discrimination in neighboring states. They include Kurds, Shi'a, and Chaldeans from Iraq and Coptic Christians from Egypt and Sudan.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there are some restrictions. The State is required to ensure the free exercise of all religious rites with the caveat that public order not be disturbed. The Constitution also provides that the personal status and religious interests of the population be respected. The Government permits recognized religions to exercise authority over matters pertaining to personal status such as marriage, divorce, child custody, and inheritance. There is no state religion; however, politics are based on the principle of religious representation, which has been applied to every conceivable aspect of public life. The unwritten "National Pact" of 1943 stipulates that the President, the Prime Minister, and the Speaker of Parliament be a Maronite Christian, a Sunni Muslim, and a Shi'a Muslim, respectively. The Taif Accord, which ended the country's 15-year civil war in 1989, reaffirmed this arrangement but resulted in increased Muslim representation in Parliament and reduced the power of the Maronite President.

A group that seeks official recognition must submit its dogma and moral principles for government review to ensure that such principles do not contradict popular values and the Constitution. The group must ensure that the number of its adherents is sufficient to maintain its continuity.

Alternatively, religious groups may apply to obtain recognition through existing religious groups. Official recognition conveys certain benefits, such as tax-exempt status and the right to apply the religion's codes to personal status matters. An individual may change religions if the head of the religious group the person wishes to join approves of this change.

The Government allows private religious education. The issue of religious education in public schools no longer is the subject of vigorous debate. Muslim and Christian clergy are working together to prepare unified religious educational materials to be used in public schools.

Publishing of religious materials in different languages is permitted.

A number of both Christian and Muslim religious holidays are considered national holidays. The Christian holidays are Christmas, Good Friday, Easter (for both Western and Eastern rites), St. Maroun Day, All Saints Day, Feast of the Assumption, and New Year. The Muslim holidays are Eid al-Adha, the Muslim New Year, the Prophet Mohammed's birthday, Eid al-Fitr, and Ashura. The Government also excuses from work public sector employees of the Armenian churches on Armenian Christmas and St. Vartan Day.

The Government promotes interfaith understanding by supporting a committee on Islamic-Christian dialog, which is co-chaired by a Muslim and a Christian, and includes representatives of the major religious groups. Leading religious figures who promote Islamic-Christian dialog and ecumenicism are encouraged to visit and are received by government officials at the highest levels.

*Restrictions on Religious Freedom*

The 1989 Taif Accord called for the ultimate abolition of political sectarianism in favor of "expertise and competence." However, little substantive progress has been made in this regard. A "Committee for Abolishing Confessionalism," called for in the Taif Accord, has not yet been formed. One notable exception is the Lebanese Armed Forces (LAF), which, through universal conscription and an emphasis on professionalism, has significantly reduced the role of confessionalism (or religious sectarianism) in that organization. Christians and Muslims are represented equally in the Parliament. Seats in the Parliament and Cabinet, and posts in the civil service, are distributed proportionally among the 18 recognized groups. State recognition is not a legal requirement for religious practice. For example, although Bahá'ís, Buddhists, and Hindus are not recognized officially, they are allowed to practice their faith without government interference; however, they legally may not marry, divorce, or inherit in the country.

Many families have relatives who belong to different religious communities, and intermarriage is not uncommon; however, intermarriage may be difficult to arrange in practice between members of some groups because there are no procedures for civil marriage. However, civil ceremonies performed outside the country are recognized by the State.

The Government does not require citizens' religious affiliations to be indicated on their passports; however, the Government requires that religious affiliation be encoded on national identity cards.

Religious groups administer their own family and personal status laws (see Section II). Many of these laws discriminate against women. For example, Sunni inheritance law provides a son twice the inheritance of a daughter. Although Muslim men may divorce easily, Muslim women may do so only with the concurrence of their husbands.

Article 473 of the Penal Code stipulates that one who "blasphemes God publicly" may face imprisonment for up to a year. In 1999 a leading singer and songwriter was accused of insulting Islam by incorporating lines from a poem based on verses from the Koran into a song; however, he was acquitted of the charges in December 1999. No one was prosecuted under this law during the period covered by this report.

*Abuses of Religious Freedom*

There was a credible report that Syrian intelligence officials in Lebanon arrested three Syrian Druze men who had converted to Christianity in March 2001 on suspicion of membership in Jehovah's Witnesses. They initially were held in Lebanon and then reportedly were transferred to prison in Syria and held for 2 months. They were released after signing papers stating that they would cease attending their church and cease contact with their pastor.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Citizens still are struggling with the legacy of a 15-year civil war fought along religious lines. Some of the harshest fighting of the war occurred within religious groups.

There are no legal barriers to proselytizing; however, traditional attitudes and edicts of the clerical establishment strongly discourage such activity. There were reports that members of the Christian community in Kesirwan with the knowledge of local clergy occasionally harassed verbally church leaders and persons who attend an unrecognized Protestant evangelical church.

The Committee of Islamic-Christian Dialog remains the most significant institution for fostering amicable relations between religious communities.

In October 2001, there was an arson attempt at the St. George Orthodox Church in the overwhelmingly Muslim city of Tripoli. The incident did not result in any injuries or damage to the facility. On October 17, a small explosive package was detonated at the Mar Elias Church in Sidon, another predominantly Muslim city. The

explosion caused minor damage to the church door, but no injuries. Two days later, on October 19, a mosque in the Christian town of Batroun sustained damage in a fire. The incident is believed to have been an arson attack. Political and religious leaders of all religious denominations universally criticized all of the attacks.

On October 3, 1999, one person was killed when a bomb exploded in a Maronite church in an eastern Beirut suburb. There were no arrests made in this case during the period covered by this report.

Throughout the fall of 1999, approximately six random bombings were carried out against Orthodox churches and shops that sold liquor; the bombings took place in the northern city of Tripoli and in surrounding areas. The Government suspected that radical Sunni extremists carried out the bombings in retaliation for Russian military operations in Chechnya. Police officials detained and allegedly tortured a number of Sunni youths for suspected involvement in these bombings; however, the youths were released due to a lack of evidence.

In December 1999, Sunni extremists killed four LAF soldiers in an ambush in the northern region of Dinniyeh after the soldiers attempted to arrest two Sunni Muslims allegedly involved in a series of church bombings. On December 31, 1999, the LAF retaliated by launching a massive military operation against Sunni extremists in the north. Five civilians, 7 LAF soldiers, and 15 extremists were killed in the operation. The trial of the suspects who were involved in the case was ongoing at the end of the period covered by this report. In May 2002, some of the suspects went on a hunger strike for a few days to protest trial delays and seek improvements in their detention conditions.

Clerics play a leading role in many ecumenical movements worldwide. For example, the Armenian Orthodox Patriarch, Aram I, is the moderator for the World Council of Churches. The Imam Musa Sadr Foundation also has played a role in fostering the ecumenical message of Musa Sadr, a Shi'a cleric who disappeared in Libya in 1978.

UNESCO funded a \$10,000 project for the publication of a book on Christian-Islamic understanding in the country. The book was authored by 16 Muslim and Christian scholars and is scheduled to be available on the local market in August 2002.

#### SECTION IV. U.S. GOVERNMENT POLICY

U.S. policy supports the preservation of pluralism and religious freedom, and the U.S. Embassy advances that goal through contacts at all levels of society, public remarks, embassy public affairs programs, and U.S. Agency for International Development (USAID) programming. The issue of political sectarianism remains a delicate one. The United States supports the principles of the Taif Accord and embassy staff regularly discuss the issue of sectarianism with political, religious, and civic leaders. Embassy staff members meet periodically with the leadership—both national and regional—of officially recognized groups, all of whom have a long tradition of meeting with foreign diplomats and discussing issues of general public interest. In late 2001, during Ramadan, the Ambassador hosted a series of iftars (evening meals breaking the daily fast). At one iftar, the Ambassador hosted members of the Muslim-Christian Dialogue Committee and others concerned with the issue of religious freedom. The Embassy regularly attends events sponsored by the Committee on Islamic-Christian Dialog. USAID programs in rural areas of the country also require civic participation, often involving villages of different religious backgrounds, with the aim of promoting cooperation between religions.

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### LIBYA

The Government restricts freedom of religion.

There was no change in the status of respect for religious freedom during the period covered by this report. Reports indicate that persons rarely are harassed because of their religious practices unless such practices are perceived as having a political dimension or motivation.

Information regarding relations among the country's different religious groups is limited.

The U.S. Government has no official presence in the country.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 679,362 square miles, and its population is approximately 5,240,600. The country is overwhelmingly Sunni Muslim (97

percent). There are small Christian communities, composed almost exclusively of foreigners. There is a small Anglican community, made up mostly of African immigrant workers in Tripoli, that is part of the Egyptian Diocese; the Anglican Bishop of Libya is resident in Cairo. There are Union churches in Tripoli and Benghazi. There are an estimated 40,000 Roman Catholics who are served by 2 Bishops—1 in Tripoli (serving the Italian community) and 1 in Benghazi (serving the Maltese community). Catholic priests and nuns serve in all the main coastal cities, and there is one priest in the southern city of Sebha. Most of them work in hospitals and with the handicapped; they enjoy good relations with the Government. There are also Coptic and Greek Orthodox priests in both Tripoli and Benghazi.

In 1997 the Vatican established diplomatic relations with the country, stating that the Government had taken steps to protect freedom of religion. Its goal was to address more adequately the needs of the estimated 50,000 Christians in the country.

There still may be a very small number of Jews. Most of the Jewish community, which numbered around 35,000 in 1948, left for Italy at various stages between 1948 and 1967. The Government has been rehabilitating the “medina” (old city) in Tripoli and has renovated the large synagogue there; however, the synagogue has not reopened.

Adherents of other non-Muslim religions, such as Hindus, Baha’is, and Buddhists are present.

There is no information on the number of atheists in the country.

There is no information on the number of foreign missionaries in the country, or whether proselytizing is restricted.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Government restricts freedom of religion. The country’s leadership states publicly its preference for Islam. In an apparent effort to eliminate all alternative power bases, the regime has banned the once powerful Sanusiyya Islamic order. In its place, Libyan leader Colonel Mu’ammar Al-Qadhafi established the Islamic Call Society (ICS), which is the outlet for state-approved religion, as well as a tool for exporting the revolution abroad. The ICS also is responsible for relations with other religions, including the Christian churches in the country. The ICS’s main purpose is to promote a moderate form of Islam that reflects the religious views of the Government, and there are reports that Islamic groups whose beliefs and practices are at variance with the state-approved teaching of Islam are banned. In 1992 the Government announced that the ICS would be disbanded; however, at least some elements of the organization remain operational. Although most Islamic institutions are under government control, prominent families endow some mosques; however, the mosques generally remain within the government-approved interpretation of Islam.

### *Restrictions on Religious Freedom*

The Government controls most mosques and Islamic institutions, and even mosques endowed by prominent families generally remain within the government-approved interpretation of Islam. Reports indicate that individuals rarely are harassed because of their religious practices, unless such practices are perceived as having a political dimension or motivation.

Members of some minority religions are allowed to conduct services. Christian churches operate openly and are tolerated by the authorities; however, Christians are restricted by the lack of churches and there is a government limit of one church per denomination per city. The Government reportedly has failed to honor a promise made in 1970 to provide the Anglican Church with alternative facilities when it took the property used by the Church. Since 1988 the Anglicans have shared a villa with other Protestant denominations.

There are no known places of worship for other non-Muslim religions such as Hinduism, the Baha’i Faith, and Buddhism, although adherents are allowed to practice within the privacy of their homes. Foreign adherents of these religions are allowed to display and sell religious items at bazaars and gatherings.

### *Abuses of Religious Freedom*

In 1998 at least 150 professionals in Benghazi and several other major cities were arrested on suspicion of political opposition activities, specifically support of or sympathy for the Libyan Islamic Group, an underground Islamic movement that is not known to have used or advocated violence. The Government did not acknowledge the arrest of these individuals until their trial began in March 2001. Proceedings

paused and were continued in September 2001. The accused were denied access to family or choice of legal counsel. The current status of the detainees is unknown.

Some practicing Muslims have shaved their beards to avoid harassment from security services. In the late 1980's, the Government began to pursue a domestic policy directed against Islamic fundamentalists; the Government leadership appears to view fundamentalism as a potential rallying point for opponents of the Government. Qadhafi has criticized publicly Libyan "mujaheddin" (generally, Islamic activists who fought against the Soviets in Afghanistan) as threats to the regime.

There continue to be reports of armed clashes between security forces and Islamic groups that oppose the current regime and advocate the establishment of a more traditional form of Islamic government.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Information on religious freedom is limited, although members of minority religions report that they do not face harassment by authorities or the Muslim majority on the basis of their religious practices.

### SECTION IV. U.S. GOVERNMENT POLICY

The United States has no official presence in the country and maintains no bilateral dialog with the Government on religious freedom issues.

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## MOROCCO

The Constitution provides for freedom of religion and, although Islam is the official state religion, Jewish and Christian communities openly practice their faiths; however, the Government places certain restrictions on Christian religious materials and proselytizing, and several small religious minorities are tolerated with varying degrees of official restrictions. The Government monitors the activities of mosques and places other restrictions on Muslims and Islamic organizations whose activities are deemed to have exceeded the bounds of religious practice and become political in nature.

There was no change in the status of respect for religious freedom during the period covered by this report. Since 1999 when King Mohammed VI succeeded his father, King Hassan II, who had ruled for 38 years, the new King has continued to uphold a tradition of respect for interfaith dialog.

The generally amicable relationship among religions in society contributed to religious freedom; however, converts to Christianity sometimes face social ostracism.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of approximately 172,320 square miles, and its population is approximately 30,122,350. An estimated 99 percent of citizens are Sunni Muslims. The Jewish community numbers approximately 5,000 persons and predominantly resides in the Casablanca and Rabat urban areas, as well as some smaller cities throughout the country. The foreign Christian community (Roman Catholic and Protestant) consists of 5,000 practicing members, although estimates of Christians residing in the country at any particular time range up to 25,000. Most reside in the Casablanca and Rabat urban areas. Also located in Rabat and Casablanca, the Baha'i community numbers 350 to 400 persons. There is no information regarding the number of atheists in the country.

### SECTION II: STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides that Islam is the official religion, and designates the King as "Commander of the Faithful" with the responsibility of ensuring "respect for Islam." The Constitution provides for freedom of religion, and Jewish and Christian communities openly practice their faiths; however, the Government places cer-

tain restrictions on Christian religious materials and proselytizing, and several small religious minorities are tolerated with varying degrees of official restrictions. A small foreign Hindu community has received the right to perform cremations and to hold services. In the past, Baha'is reportedly have been forbidden to meet or participate in communal activities; however, there were no reports that their activities were restricted during the period covered by this report. The Government monitors the activities of mosques and places other restrictions on Muslims and Islamic organizations whose activities are deemed to have exceeded the bounds of religious practice and become political in nature.

The Government does not license or approve religions or religious organizations. The Government provides tax benefits, land and building grants, subsidies, and customs exemptions for imports necessary for the observance of the major religions.

In May 2002, the organization "Al Ghadir" asked for official authorization. This is the first time that an association of Moroccan Shiites has asked for official recognition.

The teaching of Islam in public schools benefits from discretionary funding in the Government's annual education budget. The annual budget also provides funds for religious instruction to the parallel system of Jewish public schools. The Government has funded several efforts to study the cultural, artistic, literary, and scientific heritage of Jewish citizens. In 1998 the Government created a chair for the study of comparative religions including the study of Latin and Hebrew at the University of Rabat. In 2000 the King declared that 100 mosques throughout the country would be used as teaching centers to fight illiteracy. In the first (and pilot) year of the announced program, 10,000 citizens between the ages of 15 and 45 were to receive literacy courses on Islam, civic education, and hygiene. If successful, the program will be expanded to include a larger part of the population in subsequent years. The King designated 200 unemployed university graduates to administer the literacy courses during the program's pilot stages, which began in September 2000. During the period covered by this report, the King proposed increasing the number of teachers and providing vocational training for the teachers.

The Government encourages tolerance and respect among religions. In March 2002, the Government invited Israel to attend the International Parliamentary Union meeting in Marrakech, although there were protests against this decision because of the deteriorating situation in the West Bank. During the King's April 2002 visit to the U.S., he met with prominent Jewish figures and with leaders of the Conference of Presidents of the Major American Jewish Organizations. During this meeting, the King invited participants to visit Morocco. The King's party included several Moroccan Jews, notably Royal Advisor Andre Azoulay, Serge Berdugo, Secretary General of Morocco's Jewish Communities, and Robert Assaraf, President of the World Union of Moroccan Judaism.

Each May the Government organizes the annual "Fez Festival of Sacred Music," which includes musicians from many religions. In the past, the Government has organized numerous symposiums among local and international clergy, priests, rabbis, imams, and other spiritual leaders to examine ways to reduce religious intolerance and to promote interfaith dialog. Each year during the Islamic holy month of Ramadan, the King hosts colloquiums of Islamic religious scholars that, among other issues, examine ways to promote tolerance and mutual respect within Islam and between Islam and other religions.

The King personally ordered an interfaith ceremony to be held at the Catholic cathedral in Rabat in honor of the victims of the September 11, 2001 terrorist attacks in the United States. The ceremony, attended by the Prime Minister and most of his cabinet, featured Muslim, Christian, and Jewish religious speakers.

#### *Restrictions on Religious Freedom*

The Ministry of Islamic Affairs monitors Friday mosque sermons and the Koranic schools to ensure the teaching of approved doctrine. At times the authorities suppress the activities of Islamists but generally tolerate activities limited to the propagation of Islam, education, and charity. Security forces commonly close mosques to the public shortly after Friday services to prevent use of the premises for unauthorized political activity. The Government strictly controls authorization to construct new mosques. Most mosques are constructed using private funds.

The Government bars the Islamic Justice and Charity Organization (JCO) as a political party and continued to block the publication of newspapers and the websites of the JCO.

Islamic law and tradition call for punishment of any Muslim who converts to another faith. Citizens who convert to Christianity and other religions sometimes face social ostracism, and in the past a small number of persons have faced short periods of questioning or detention by the authorities. Voluntary conversion is not a crime

under the Criminal or Civil Codes; however, until 4 years ago, the authorities had jailed some converts on the basis of references to Islamic law. Christian citizens sometimes still are called in for questioning by the authorities.

Any attempt to induce a Muslim to convert is illegal. According to Article 220 of the Penal Code, any attempt to stop one or more persons from the exercise of their religious beliefs, or attendance at religious services, is unlawful and may be punished by 3 to 6 months' imprisonment and a fine of \$10 to \$50 (115 to 575 dirhams). The Article applies the same penalty to "anyone who employs incitements in order to shake the faith of a Muslim or to convert him to another religion." Foreign missionaries either limit their proselytizing to non-Muslims or conduct their work quietly. The Government cited the prohibition on conversion in the Penal Code in most cases in which courts expelled foreign missionaries.

Since the time of the French Protectorate (1912–1956), a small foreign Christian community has operated churches, orphanages, hospitals, and schools without any special restrictions or licensing requirements being imposed. Missionaries who conduct themselves in accordance with societal expectations largely are left unhindered; however, those whose activities become public face expulsion. Although no expulsions have occurred since 1998, some missionaries have been called in for questioning by authorities, or have not been granted a "temporary residence permit" enabling them to remain in the country on a longterm basis.

The Government permits the display and sale of Bibles in French, English, and Spanish, but confiscates Arabic-language Bibles and refuses licenses for their importation and sale, despite the absence of any law banning such books. Nevertheless Arabic Bibles have been sold in local bookstores.

The small Baha'i community has been forbidden to meet or participate in communal activities since 1983; however, there were no reports that the Ministry of the Interior summoned Bahai's for questioning or denied them passports, as had occurred in past years.

There are two sets of laws and courts—one for Jews and one for Muslims—pertaining to marriage, inheritance, and family matters. The family law courts are run, depending on the law that applies, by rabbinical and Islamic authorities who are court officials. Parliament authorizes any changes to those laws. Non-Koranic sections of Muslim law on personal status are applicable to non-Muslim and non-Jewish persons. Alternatively, non-Muslim and non-Jewish foreigners in the country may refer to their embassies or consulates for marriage, divorce, inheritance, and other personal issues if they choose not to adhere to Moroccan law.

Women suffer various forms of legal and cultural discrimination, in part because of the codification of Islamic tenets in criminal and civil law. The civil law status of women is governed by the Code of Personal Status (sometimes referred to as the "Moudouwana"), which is based on the Maliki school of Islamic law. Although the Code of Personal Status was reformed in 1993, women's groups still complain of unequal treatment, particularly under the laws governing marriage, divorce, and inheritance. To marry, a woman generally is required to obtain the permission of her legal guardian, usually her father. Only in rare circumstances may she act in her own behalf as her own guardian. It is far easier for a man to divorce his wife than for a woman to divorce her husband. Under Islamic law and tradition, rather than asking for a divorce, a man simply may repudiate his wife outside of court. Under the 1993 reforms to the Code of Personal Status, a woman's presence in court is required for her husband to divorce her, although women's groups report that this law frequently is ignored. While there are reports that some officials refuse to order a divorce without the wife being present, despite offers of bribes, women's groups complain that men resort to ruses to evade the legal restrictions. The divorce may be finalized even over the woman's objections, although in such cases the court grants her unspecified allowance rights.

A woman seeking a divorce has few practical alternatives. She may offer her husband money to agree to a divorce (known as a *khol'a* divorce). The husband must agree to the divorce and is allowed to specify the amount to be paid, without limit. According to women's groups, many men pressure their wives to pursue this kind of divorce. A woman also may file for a judicial divorce if her husband takes a second wife, if he abandons her, or if he physically abuses her; however, divorce procedures in these cases are lengthy and complicated. In 1998 the Minister of Islamic Affairs proposed additions to the basic marriage contract that would outline the rights and duties agreed upon between husband and wife and permit legal recourse for the enforcement of the contract.

Under the Criminal Code, women generally are accorded the same treatment as men, but this is not the case for family and estate law, which is based on the Code of Personal Status. Under the Code of Personal Status, women inherit only half as much as male heirs. Moreover, even in cases in which the law provides for equal

status, cultural norms often prevent a woman from exercising those rights. For example, when a woman inherits property, male relatives may pressure her to relinquish her interest.

The Government and the King continued to promote their proposal to reform the Personal Status Code to advance women's rights. In March 2001, a new commission on reforming the Personal Status Code was created, and the King publicly urged the commission to work on proposals to improve the application of existing laws and on a longer term "substantial reform" of the code. Islamists and some other traditional segments of society firmly opposed the King's proposal, especially with respect to its more controversial elements, such as reform of women's legal status in marriage and family law issues. A number of women's groups formed a coalition called the "Spring of Equality" to protest the lack of progress in reforming the Personal Status Code. However, no action is likely on the Code before the parliamentary elections scheduled for September 2002.

#### *Abuses of Religious Freedom*

Islamist dissident Sheikh Abdessalam Yassine, who was released in March 2000 from 11 years of house arrest for refusing to acknowledge the religious authority of the King, continued to preside openly over the JCO. Members of the JCO remain subject to constant surveillance.

No action was taken against security forces responsible for the November 2000 killing of 1 person and the injuring of 8 persons while forcibly dispersing a demonstration by an Islamic trade union or for the injuring of more than 100 students during clashes with JCO students at Mohammedia University.

The JCO has an active presence on university campuses and occasionally had organized protests of Sheikh Yassine's house arrest prior to his release. Unlike in the period covered by the previous report, there were no reports that security forces forcibly dispersed JCO protests. However, the Government monitors Islamist campus activities.

Unlike in the period covered by the previous report, there were no reports that JCO members were arrested and jailed or were prevented from gaining access to campgrounds or beaches for prayer sessions.

In September 2001, a Christian missionary was called in for questioning by the authorities. Although the case technically still is open, no further action has been taken.

In 2000 the Gendarmerie Royale summoned several members of the foreign Christian community for questioning concerning the practice of their faith. The Gendarmerie began an investigation into their activities at that time. The investigation reportedly was dropped quietly. Despite not possessing a resident visa, the subjects of the investigation continued to face no problem residing in, exiting, and returning to the country.

In the past, the Ministry of Interior claimed that there were 55 Islamists serving sentences for offenses that ranged from arms smuggling in the 1980's to participation in a bomb attack on a hotel in Marrakech in 1994. In the past, there also were claims that some of these Islamists were imprisoned solely for calling for an Islamic state during the 1980's. The AMDH claims that 2 members of the "Group of 26," an Islamist group involved in smuggling arms into the country from Algeria in the mid-1980's, remain in prison. The other 24 members completed their sentences or otherwise have been released.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom; however, converts to Christianity sometimes face social ostracism. Foreigners attend religious services without any restrictions or fear of reprisals, and Jews live throughout the Kingdom in safety. While free expression of Islamic faith and free academic and theological discussion of non-Islamic religions are accepted on television and radio, public efforts to proselytize are discouraged by society. Most citizens view such public acts as provocative threats to law and order in an overwhelmingly Muslim country. In addition society expects public respect for the institutions and mores of Islam, although private behavior and beliefs are unregulated and unmonitored. Because many Muslims view the Baha'i Faith as a heretical offshoot of Islam, most members of the tiny Baha'i community maintain a low religious

profile; however, Baha'is live freely and without fear for their persons or property, and some even hold government jobs.

Because the populace overwhelmingly is Muslim, because Islam is the religion of the State, and because the King enjoys temporal and spiritual authority through his role as "Commander of the Faithful," there is widespread consensus among Muslims about religious practices and interpretation. Other sources of popular consensus are the councils of ulemas, unofficial religious scholars who serve as monitors of the monarchy and the actions of the Government. Because the ulemas traditionally hold the power to legitimize or delegitimize kings through their moral authority, government policies closely adhere to popular and religious expectations. While dissenters such as Sheikh Yassine and his followers challenge the religious authority of the King and call for the establishment of a government more deeply rooted in their vision of Islam, the majority of citizens do not appear to share their views.

The anxiety of Jewish citizens has increased as the situation in the Middle East has deteriorated during 2002. In May 2002, Imam Zamzami, who is affiliated with the Party of Justice and Development (PJD, the officially recognized Islamist party), made openly anti-Semitic remarks. He was criticized severely in the press for not differentiating between Jews who supported Israel's treatment of the Palestinians and those who did not. In early 2002, the police increased the security at synagogues and Jewish community facilities.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues in the context of its overall dialog and policy of promoting human rights. U.S. Embassy officials encountered no interference from the Government in making contacts with members of the JCO.

U.S. Embassy officials also meet regularly with religious officials, including the Minister of Islamic Affairs, Islamic religious scholars, the leader of the Jewish community, and local Christian leaders and missionaries.

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## OMAN

Islam is the state religion, and the Basic Charter protects the freedom to practice religious rites, in accordance with tradition, provided that such practices do not breach public order. The Basic Charter also provides that Shari'a (Islamic Law) is the basis for legislation. The Government permits worship by non-Muslim residents; however, non-Muslim religious organizations must be registered with the Government, and the Government restricts some of their activities.

There was no change in the status of respect for religious freedom during the period covered by this report. Christian and Hindu worship is permitted, and Sultan Qaboos has given land for the construction of centers of worship for these religions. It is illegal for non-Muslims to proselytize Muslims.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country's total area is 82,031 square miles, and its population is approximately 2,553,000. Most citizens are Ibadhi or Sunni Muslims, but there also is a minority of Shi'a Muslims. There is a small community of ethnically Indian Hindu citizens and reportedly a very small number of Christian citizens, who came from India or the Levant and who have been naturalized.

The majority of non-Muslims are noncitizen immigrant workers from South Asia. There are a number of Christian denominations represented in the country.

There is no information available regarding the number of atheists in the country.

While there is no information regarding missionary groups in the country, several non-proselytizing faithbased organizations reportedly operate. Clergy of the Anglican Church, the Reformed Church of America, and other Protestant, Catholic, and Orthodox groups are present in the country.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

Islam is the state religion, which is affirmed by the 1996 Basic Charter. The 1996 Basic Charter provides that Shari'a is the basis for legislation and preserves the

freedom to practice religious rites, in accordance with tradition, provided that such practice does not breach public order. Within these parameters, the Government permits freedom of worship for non-Muslims. The Charter also provides that discrimination against individuals on the basis of religion or religious group is prohibited. Some non-Muslims worship at churches and temples built on land donated by the Sultan, including two Catholic and two Protestant churches. Hindu temples also have been built on government-provided land. In addition the Government provided land for Catholic and Protestant missions in Sohar and Salalah. Non-Muslim religious organizations must be registered with the Government, and the Government restricts some of their activities.

Citizen children must attend a school that provides instruction in Islam; noncitizen children may attend schools that do not offer instruction in Islam.

The Government has sponsored forums at which differing interpretations of Islam have been examined. During the period covered by this report, the Government sponsored a seminar on the tolerant nature of Islam as practiced in the country and on promoting interfaith and intercultural dialog.

#### *Restrictions on Religious Freedom*

Citizens and noncitizen residents are free to discuss their religious beliefs; however, the Government prohibits non-Muslims from proselytizing Muslims. Under Islamic law, a Muslim who recants belief in Islam would be considered an apostate and dealt with under applicable Islamic legal procedure. Non-Muslims are permitted to change their religious affiliation to Islam. The authorities reportedly have asked members of the Baha'i community not to proselytize, in accordance with the country's law and custom. There was one case in which an anonymous and apparently unfounded accusation of proselytizing led to the revocation of the residence permit of a longterm foreign national resident, despite attempts to address the accusations against him.

The Government prohibits non-Muslim groups from publishing religious material, although material printed abroad may be brought into the country. Members of all religions and religious groups are free to maintain links with coreligionists abroad and to undertake foreign travel for religious purposes. Ministers and priests from abroad also are permitted to visit the country for the purpose of carrying out duties related to registered religious organizations.

The police monitor sermons at mosques to ensure that the imams do not discuss political topics and stay within the state-approved orthodoxy of Islam. The Government expects all imams to preach sermons within the parameters of standardized texts distributed monthly by the Ministry of Awqaf and Religious Affairs.

Some aspects of Islamic law and tradition as interpreted in the country discriminate against women. Shari'a favors male heirs in adjudicating inheritance claims. While there is continuing reluctance to take an inheritance dispute to court for fear of alienating the family, women increasingly are aware of and taking steps to protect and exercise their rights as citizens.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Religious discrimination in the private sector largely is absent. In the past, some members of the Shi'a minority claimed that they faced discrimination in employment and educational opportunities.

Christian theologians have met with local Islamic authorities and with members of the faculty at the country's major university. Private groups that promote interfaith dialog are permitted to exist as long as discussions do not constitute an attempt to cause Muslims to recant their Islamic beliefs.

In May 2001, the Sultan invited Islamic leaders from many countries and all major branches and schools of Islam to the opening of the Sultan Qaboos Grand Mosque.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Members of the staff at the U.S. Embassy routinely participate in local religious ceremonies and

have contact with members of non-Muslim religious groups. At the request of embassy officers, the Office of the Grand Mufti met publicly with members of the diplomatic community and others to reiterate the tolerant nature of Islam as practiced in the country and to promote interfaith and intercultural dialog.

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## QATAR

The Constitution provides no explicit protection for freedom of religion and the Government continues to prohibit public worship by non-Muslims; however, it permits private religious services by people of the book (Christians and Jews). The official state religion follows the conservative Wahhabi tradition of the Hanbali school of Islam.

The status of respect for religious freedom improved somewhat during the period covered by this report due to the Government's action in allowing more visibility for the Christian community and by announcing its intention to organize a conference bringing together representatives of Islam, Christianity and other religions in order to promote dialog among religions. Non-Muslims may not proselytize, and the Government formally prohibits the publication, importation, and distribution of non-Islamic religious books and materials. However, in practice, individuals generally are not prevented from importing Bibles and other religious items for personal use. There are no Shi'a employed in senior national security positions.

There are generally amicable relations among persons of differing religious beliefs; however, many Muslims oppose the construction of permanent Christian churches.

The U.S. Government discussed religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Ambassador and embassy officials meet regularly with government officials to discuss issues of religious freedom.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of approximately 4,254 square miles and its population is estimated at approximately 650,000 persons, of whom approximately 170,000 are believed to be citizens. The majority of the 480,000 non-citizens are Sunni Muslims, mostly from other Arab countries working on temporary employment contracts, and their accompanying family members. The remaining foreigners include Shi'a Muslims, Christians, Hindus, Buddhists, and Baha'is. Most foreign workers and their families live near the major employment centers of Doha, Ras Laffan/Al Khor, Messaeed, and Dukhan.

The Christian community is a diverse mix of Indians, Filipinos, Europeans, Arabs, and Americans. It includes Catholic, Orthodox, Anglican, and other Protestant denominations. The Hindu community is almost exclusively Indian, while Buddhists include South and East Asians. Most Baha'is come from Iran. Both citizens and foreigners attend a small number of Shi'a mosques.

There is no information regarding the number of atheists in the country.

No foreign missionary groups operate openly in the country.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

There is no constitutional protection for freedom of religion, and the Government officially prohibits public worship by non-Muslims; however, it does permit private services. The state religion is Islam, as interpreted by the conservative Wahhabi order of the Sunni branch. While Shi'a practice most aspects of their faith freely, they may not organize traditional Shi'a ceremonies or perform rites such as self flagellation.

The Government and ruling family are linked inextricably to Islam. The Minister of Islamic Affairs controls the construction of mosques, the administration of clerical affairs, and Islamic education. The Amir participates in public prayers during both Eid holiday periods, and personally finances the Hajj journeys of poor pilgrims who cannot afford to travel to Mecca.

The Government officially celebrates Eid Al-Fitr, following the holy month of Ramadan, and Eid Al-Adha, which commemorates Abraham's sacrifice, as well as the country's Independence day.

The Catholic, Anglican, and Orthodox churches received de facto official recognition in the latter part of 1999, when the Government made a verbal commitment

to allow the churches to operate without interference. The Government has respected this commitment in practice, but it still had not granted these churches formal recognition by the end of the period covered by this report. The Government does not recognize any other religions, officially or unofficially. During the period covered by the report, Christian church officials continued to press the Government for authorization to construct churches on land reserved by the Government for the Catholic, Anglican, and Orthodox communities; however, the Government has not issued building permits. The Government does not maintain an official approved register of religious congregations. In the past, the Government has raised concerns that a rapid pace of progress may provoke opposition among more conservative critics.

During the period covered by this report, the Papal Nuncio from Kuwait, as well as the Archbishop of Canterbury and his accompanying delegation, visited the country and met the Amir. In March 2002, the Government sponsored a conference on democracy and development, in which the topic of Muslim-Christian dialog was featured prominently and in which a representative of the Faculty of Shari'a at Qatar University participated. In May the Qatar International Christian Ministries—an umbrella group comprised of seven Christian churches—sponsored a Christian Gospel music concert which brought together an unprecedented number of spectators (1,300) in a public space (a major cinema). In June 2002, the Amir met with the Cardinal Glemp of Warsaw, Chairman of the Council of Polish Bishops, and later announced in Arabic on the Al-Jazeera Satellite Channel that the Government intended to organize a religious conference bringing together representatives of Islam, Christianity, and other religions in order to promote dialog among religions.

#### *Restrictions on Religious Freedom*

There is no constitutional protection for freedom of religion, and the government officially prohibits public worship by non-Muslims; however, it does permit and protect private religious services. Nevertheless, the lack of formal government recognition limits the ability of non-Muslim religious organizations to obtain trade licenses, sponsor clergy, or to open bank accounts in the name of the denomination.

Non-Muslims may not proselytize, and the Government officially prohibits public worship by non-Muslims. However, it does permit and protect private services. Converting to another religion from Islam is considered apostasy, and is technically a capital offense; however, there is no record of an execution for such a crime since 1971.

Congregations coordinate the holding of large religious services with the Government in advance, while smaller services are held without prior authorization. Although traffic police may direct cars at these services, the congregations may not publicly advertise them in advance or use visible religious symbols such as outdoor crosses. Some services, particularly those on Easter and Christmas, can draw more than 1,300 worshippers.

The Government does not permit Hindus, Buddhists, Bah'ais or members of other religions to operate as freely as Christian congregations. (The Koran specifically enjoins toleration only for Christians and Jews.) However, there is no official effort to harass or hamper adherents of these faiths in the private practice of their religion.

Discrimination in the areas of employment, education, housing, and health services do occur, but nationality is usually a more important determinant than religion. For example, Muslims hold nearly all highranking government positions because they are reserved for citizens. However, while Shi'a are well represented in the bureaucracy and business community, there are no Shi'as employed in senior national security positions.

The Government formally prohibits the publication, importation, and distribution of non-Islamic religious literature; however, in practice individuals generally are not prevented from importing Bibles and other religious items for personal use. In previous years, there were sporadic reports of confiscation of such materials by customs officials; however, during the period covered by this report, Christian worship groups reported having no trouble importing religious instructional materials (e.g., Sunday school materials and devotionals) for their use. In addition, religious materials for use at Christmas and Easter now are available readily in local shops.

Islamic instruction is compulsory in public schools. While there are no restrictions on non-Muslims providing private religious instruction for children, most foreign children attend secular private schools.

Both Muslim and non-Muslim litigants may request the Shari'a courts to assume jurisdiction in commercial or civil cases. Convicted Muslims may earn points for good behavior and have their sentences reduced by a few months by memorizing the Koran.

Shari'a law and local tradition impose significant restrictions on Muslim women. These restrictions do not apply to noncitizen women. For example, a woman is prohibited from applying for a driver's license unless she has permission from a male guardian. The Government adheres to Shari'a as practiced in the country in matters of inheritance and child custody. Muslim wives have the right to inherit from their husbands. However, they inherit only one-half as much as male relatives. Non-Muslim wives inherit nothing, unless a special exception is arranged. In cases of divorce, Shari'a is followed; younger children remain with the mother and older children with the father. Both parents retain permanent rights of visitation. However, local authorities do not allow a noncitizen parent to take his or her child out of the country without permission of the citizen parent. Women may attend court proceedings but generally are represented by a male relative; however, women may represent themselves. According to Shari'a, the testimony of two women equals that of one man, but the courts routinely interpret this on a case-by-case basis. A non-Muslim woman is not required to convert to Islam upon marriage to a Muslim; however, many make a personal decision to do so. A noncitizen woman is not required to become a citizen upon marriage to a citizen. Children born to a Muslim father are considered to be Muslim.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations between persons of differing religious beliefs generally are amicable and tolerant; however, a sizable percentage of the citizen population opposes the construction of permanent Christian churches.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Ambassador and other embassy officers regularly meet with government officials at all levels to address religious freedom issues. The Embassy coordinates with other embassies to increase the impact of its initiatives. Embassy officers also facilitate contacts between leaders of the religious communities and government officials to advance progress on specific initiatives involving freedom of religion.

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## SAUDI ARABIA

Saudi Arabia is an Islamic monarchy without legal protection for freedom of religion, and such protection does not exist in practice. Islam is the official religion, and the law requires that all citizens be Muslims. The Government prohibits the public practice of non-Muslim religions. The Government recognizes the right of non-Muslims to worship in private; however, it does not always respect this right in practice.

There generally was no change in the status of religious freedom during the period covered by this report. The Government continued to detain Shi'a religious leaders and members of the Ismaili Shi'a community in Najran province. Freedom of non-Muslims to worship privately has received increasing attention in recent years through published interviews with government officials and press articles that addressed the subject in the context of human rights; however, the right to private worship remains restricted. The Government has stated publicly that its policy is to protect the right of non-Muslims to worship privately; however, it does not provide explicit guidelines for determining what constitutes private worship, which makes distinctions between public and private worship unclear. Such lack of clarity, as well as instances of arbitrary enforcement by the authorities, force most non-Muslims to worship in such a manner as to avoid discovery by the Government or others. Members of the Shi'a minority continued to face institutionalized political and economic discrimination, including restrictions on the practice of their faith.

An overwhelming majority of citizens support an Islamic state and oppose public non-Muslim worship. There is societal discrimination against adherents of the Shi'a minority.

Senior U.S. government officials raised the issue of religious freedom with the Government on numerous occasions during the period covered by this report.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country's total land area is 5,273,965 square miles and its population is approximately 17 million, with an estimated foreign population of 7 million. The foreign population includes approximately 1.5 million Indians, 1 million Bangladeshis, nearly 900,000 Pakistanis, 800,000 Egyptians, 800,000 Filipinos, 250,000 Palestinians, 150,000 Lebanese, 130,000 Sri Lankans, 40,000 Eritreans, and 36,000 Americans. Comprehensive statistics for the denominations of foreigners are not available, but they include Muslims from the various branches and schools of Islam, Christians, Hindus, Buddhists, and Jews. For example, the Embassy of the Philippines reports that over 90 percent of the Filipino community is Christian. The U.S. Conference of Catholic Bishops estimates there are well over 500,000 Catholics in the country, and perhaps as many as 1 million. There is no information regarding the number of atheists in the country.

The majority of Saudi citizens are Sunni Muslims predominantly adhering to the strict interpretation of Islam taught by the Salafi or Wahhabi school that is the official state religion.

Approximately 1 million citizens are Shi'a Muslims, who live mostly in the eastern province, where they constitute approximately one-third of the population.

There is no information regarding foreign missionaries in the country. Proselytizing is not permitted.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

Freedom of religion does not exist. Islam is the official religion, and all citizens must be Muslims. The Government prohibits the public practice of other religions. The Government recognizes the right of private worship by non-Muslims; however, it does not always respect this right in practice. Saudi Arabia is an Islamic monarchy and the Government has declared the Holy Koran and the Sunna (tradition) of the Prophet Muhammad to be the country's Constitution. The Government bases its legitimacy on governance according to the precepts of the rigorously conservative and strict interpretation of the Salafi or Wahhabi school of the Sunni branch of Islam and discriminates against other branches of Islam. Neither the Government nor society in general accepts the concepts of separation of religion and state, and such separation does not exist.

The legal system is based on Shari'a (Islamic law), with Shari'a courts basing their judgments largely on a code derived from the Holy Koran and the Sunna. The Government permits Shi'a Muslims to use their own legal tradition to adjudicate noncriminal cases within their community.

The only national holidays observed in Saudi Arabia are the two Eids, Eid Al-Fitr at the end of Ramadan and Eid Al-Adha at the conclusion of the Hajj. Observance of the Shi'a holiday of Ashura is allowed in the eastern city of Qatif and in the southern province of Naran.

*Restrictions on Religious Freedom*

Islamic practice generally is limited to that of a school of the Sunni branch of Islam as interpreted by Muhammad Ibn Abd Al-Wahhab, an 18th century Arab religious reformer. (Outside Saudi Arabia, this branch of Islam is often referred to as "Wahhabi," a term the Saudis do not use. The teachings of the reformer Abd Al-Wahhab are more often referred to by adherents as "Salafi" or "Muwahiddun," that is, following the forefathers of Islam, or unifiers of Islamic practice.) Practices contrary to this interpretation, such as celebration of the Prophet Muhammad's birthday and visits to the tombs of renowned Muslims, are discouraged. The spreading of Muslim teachings not in conformance with the officially accepted interpretation of Islam is prohibited. Writers and other individuals who publicly criticize this interpretation, including both those who advocate a stricter interpretation and those who favor a more moderate interpretation than the Government's, reportedly have been imprisoned and faced other reprisals.

The Ministry of Islamic Affairs supervises and finances the construction and maintenance of almost all mosques in the country, although over 30 percent of all mosques in Saudi Arabia are built and endowed by private persons. The Ministry pays the salaries of imams (prayer leaders) and others who work in the mosques. A governmental committee defines the qualifications of imams. The Committee to Promote Virtue and Prevent Vice (commonly called "religious police" or Mutawwa'in) is a government entity, and its chairman has ministerial status.

Foreign imams are barred from leading worship during the most heavily attended prayer times and prohibited from delivering sermons during Friday congregational

prayers. The Government states that its actions are part of its “Saudiization” plan to replace foreign workers with citizens.

Under Shari’a conversion by a Muslim to another religion is considered apostasy, a crime punishable by death if the accused does not recant. There were no executions for apostasy during the period covered by this report, and there have been no reports of such executions for the past several years.

The Government prohibits public non-Muslim religious activities. Non-Muslim worshippers risk arrest, imprisonment, lashing, deportation, and sometimes torture for engaging in overt religious activity that attracts official attention. The Government has stated publicly, including before the U.N. Committee on Human Rights in Geneva, that its policy is to protect the right of non-Muslims to worship privately; however, it does not provide explicit guidelines—such as the number of persons permitted to attend and acceptable locations—for determining what constitutes private worship, which makes distinctions between public and private worship unclear. Such lack of clarity, as well as instances of arbitrary enforcement by the authorities, force most non-Muslims to worship in such a manner as to avoid discovery by the Government or others. Those detained for non-Muslim worship almost always are deported by authorities after sometimes lengthy periods of arrest during investigation. In some cases, they also are sentenced to receive lashes prior to deportation.

The Government does not permit non-Muslim clergy to enter the country for the purpose of conducting religious services, although some come under other auspices and perform religious functions in secret. Such restrictions make it very difficult for most non-Muslims to maintain contact with clergymen and attend services. Catholics and Orthodox Christians, who require a priest on a regular basis to receive the sacraments required by their faith, particularly are affected.

Proselytizing by non-Muslims, including the distribution of non-Muslim religious materials such as Bibles, is illegal. Muslims or non-Muslims wearing religious symbols of any kind in public risk confrontation with the Mutawwa’in. Under the auspices of the Ministry of Islamic Affairs, approximately 50 so-called “Call and Guidance” centers employing approximately 500 persons work to convert foreigners to Islam. Some non-Muslim foreigners convert to Islam during their stay in the country. According to official reports, 942 foreign workers converted to Islam in the past year. The press often carries articles about such conversions, including testimonials. The press as well as government officials publicized the conversion of the Italian Ambassador to Saudi Arabia in late 2001.

The Government requires noncitizens to carry Iqamas, or legal resident identity cards, which contain a religious designation for “Muslim” or “non-Muslim.”

Members of the Shi’a minority are the subjects of officially sanctioned political and economic discrimination. The authorities permit the celebration of the Shi’a holiday of Ashura in the eastern province city of Qatif, provided that the celebrants do not undertake large, public marches or engage in self-flagellation (a traditional Shi’a practice). The celebrations are monitored by the police. In 2002 observance of Ashura took place without incident in Qatif. No other Ashura celebrations are permitted in the country, and many Shi’a travel to Qatif or to Bahrain to participate in Ashura celebrations. The Government continued to enforce other restrictions on the Shi’a community, such as banning Shi’a books.

Shi’a have declined government offers to build state-supported mosques because they fear the Government would prohibit the incorporation and display of Shi’a motifs in any such mosques. The Government seldom permits private construction of Shi’a mosques. In March 2001, religious police reportedly closed a Shi’a mosque in Hofuf because it had been built without government permission.

Members of the Shi’a minority are discriminated against in government employment, especially with respect to positions that relate to national security, such as in the military or in the Ministry of the Interior. The Government restricts employment of Shi’a in the oil and petrochemical industries. The Government also discriminates against Shi’a in higher education through unofficial restrictions on the number of Shi’a admitted to universities.

Since the 1979 Iranian revolution some Shi’a suspected of subversion have been subjected periodically to surveillance and limitations on travel abroad. Prior to 2001, the Government actively discouraged Shi’a travel to Iran to visit pilgrimage sites due to security concerns. Shi’a who went to Iran without government permission, or who were suspected of such travel, normally had their passports confiscated upon their return for periods of up to 2 years. However, according to press reports, in early 2001, the Government lifted the requirement that citizens intending to travel to Iran seek permission in advance from authorities. This change corresponded with improving relations between Saudi Arabia and Iran. The effect has been to allow Shi’a citizens to travel freely to Iran for religious pilgrimages. Advance permission

for travel to Iraq, whether for business or religious pilgrimage, has been necessary for some time due to security concerns, but such travel remains possible.

Under the provisions of Shari'a law as practiced in the country, judges may discount the testimony of people who are not practicing Muslims or who do not adhere to the official interpretation of Islam. Legal sources report that testimony by Shi'a is often ignored in courts of law or is deemed to have less weight than testimony by Sunnis. For example, in May 2001, a judge in the eastern province ruled that the testimony of two Shi'a witnesses to an automobile accident was inadmissible. Sentencing under the legal system is not uniform. Laws and regulations state that defendants should be treated equally; however, under Shari'a as interpreted and applied in the country, crimes against Muslims may result in harsher penalties than those against non-Muslims. Observers believe that the new Criminal Procedure Law, passed in late 2001 and became effective on May 1, 2002, should give fairer treatment to all defendants.

Customs officials routinely open mail and shipments to search for contraband, including non-Muslim materials, such as Bibles and religious videotapes. Such materials are subject to confiscation, although rules appear to be applied arbitrarily.

Islamic religious education is mandatory in public schools at all levels. All public school children receive religious instruction that conforms with the official version of Islam. Non-Muslim students in private schools are not required to study Islam. No private religious schools are permitted for non-Muslims.

Women are subject to discrimination under Shari'a as interpreted in the country. In a Shari'a court, a woman's testimony does not carry the same weight as that of a man: the testimony of one man equals that of two women. Female parties to court proceedings, such as divorce and other family law cases, generally must deputize male relatives to speak on their behalf.

Islamic law permits polygyny, with one man allowed to have a maximum of four wives at one time. While polygyny is becoming less prevalent among some segments of the population due to demographic and economic changes, the practice is still common. Islamic law enjoins a man to treat each wife equally. In practice such equality is left to the discretion of the husband. Women may not marry noncitizens without government permission; men must obtain approval from the Ministry of Interior to marry women from countries outside the six states of the Gulf Cooperation Council. In accordance with Shari'a, women are prohibited from marrying non-Muslims; men may marry Christians and Jews, as well as Muslims.

While Shari'a provides women with a basis to own and dispose of property independently, women often are constrained from asserting such rights because of various legal and societal barriers, especially regarding employment and freedom of movement. In addition, daughters receive half the inheritance awarded to their brothers.

Women must demonstrate legally specified grounds for divorce, but men may divorce without cause. In doing so, men are required to pay immediately an amount of money agreed upon at the time of the marriage, which serves as a one-time alimony payment. Women who demonstrate legal grounds for divorce still are entitled to this alimony. If divorced or widowed, a Muslim woman normally may keep her children until they attain a specified age: 7 years for boys, 9 years for girls. Children over these ages are awarded to the former husband or the deceased husband's family. Numerous divorced foreign women continued to be prevented by their former husbands from visiting their children after divorce.

Failure of Muslim women to wear an abaya or headscarf can lead to admonishment (and in the past occasionally has led to arrest) by some Mutawwa'in enforcing their own interpretation of religious doctrine.

#### *Abuses of Freedom of Religion*

During the period covered by this report, the Government continued to commit abuses of religious freedom. However, reports of abuses are often difficult or impossible to corroborate for a variety of reasons. First, the fear and consequent secrecy surrounding any non-Muslim religious activity contribute to reluctance to disclose any information that might lead to more harm of persons under investigation by the Government. Moreover, information regarding government practices is incomplete because judicial proceedings have been closed to the public, although the new Criminal Procedural Law that became effective in May 2002 allows some court proceedings to be open to the public.

The Government restricts freedom of speech and association, and the media exercises self-censorship regarding sensitive issues such as religious freedom. There are no independent nongovernmental organizations that monitor religious freedom. However, the Government has stated publicly that it would welcome foreign human

rights organizations to conduct independent investigations, although there were no such visits during the period covered by this report.

The Government continued to commit abuses against members of the Shi'a minority. Since beginning the investigation of the 1996 bombing of the U.S. military installation at Al-Khobar, in which a number of eastern province Shi'a were arrested, authorities have detained, interrogated, and confiscated the passports of a number of Shi'a Muslims. The Government reportedly continued to detain an unknown number of Shi'a who were arrested in the aftermath of the Al-Khobar bombing. Government security forces reportedly arrest Shi'a based on the smallest suspicion, hold them in custody for lengthy periods, and then release them without explanation.

According to various reports, a number of Shi'a sheikhs (religious leaders) remained in detention during the period covered by this report. Amnesty International (AI) reported that Sheikh Ali bin Ali al-Ghanim was arrested in August 2000 at the border with Jordan and held by the Mabahith, the national investigative bureau that is part of the Ministry of Interior. In March 2001, Mabahith officers reportedly arrested and detained Sheikh Mohammed Al Amri in Medina. In January 2002, Sheikh Ahmed Turki al-Saab was arrested 1 week after the U.S. newspaper *The Wall Street Journal* published his comments that were critical of the Government. On April 23, he was sentenced to flogging and 7 years in prison.

Early in 2000, a Shi'a sheikh was taken into custody and three other sheikhs were arrested for unknown reasons near the border with Jordan. According to AI, Hashim Al-Sayyid Al-Sada, a Shi'a cleric suspected of political or religious dissent, was arrested in his home in April 2000 and reportedly remained held incommunicado.

In April 2000, in the city of Najran in the southwestern province bordering Yemen, rioting by members of the Makarama Ismaili Shi'a eventually led to an attack by an armed group of Shi'a on a hotel that contained an office of the regional governor. Security forces responded, leading to extended gun battles between the two sides. Some press reports indicated that the rioting followed the arrest of a Makarama Ismaili Shi'a imam and some of his followers on charges of "sorcery." Various other reports attributed the unrest to the closure of two Ismaili Shi'a mosques and the provincial governor's refusal to permit Ismailis to hold public observances of the Shi'a holiday of Ashura. Still other reports attributed the unrest to a local crackdown on smuggling and resultant tribal discontent. Officials at the highest level of the Government stated that the unrest in Najran was not the result of Shi'a-Sunni tension or religious discrimination. After the unrest ended the Government stated that 5 members of the security forces were killed, and Ismaili leaders claimed that as many as 40 Ismaili tribesmen were killed. There was no independent confirmation of these claims. In November 2001 and again in January 2002, the authorities in Najran arrested at least six more Ismailis. They were charged with practicing sorcery and continued to be detained at the end of the period covered by this report. The November and January arrests were in addition to the 93 Ismailis, including several Ismaili leaders, who have been detained since the April 2000 incident.

In October 2000, AI reported that two Ismaili Shi'a teachers, who were arrested in April 2000 following the unrest, were convicted on charges of sorcery and sentenced to 1,500 lashes; however, this report could not be confirmed. In May 2001, independent sources in Najran reported that the Government had during the year since the riot removed dozens of natives of Najran from government jobs in the region to work elsewhere in the country.

The Government continued to detain non-Muslims engaged in worship services. Between June and August 2001 in Jeddah, 14 Christians were arrested and imprisoned for months, reportedly on charges of conducting public worship services and attempting to proselytize. Early in 2002, 11 of the detainees were deported and, in March 2002, the remaining 3 Christians, 2 Ethiopians and 1 Filipino, were deported. Prior to their release, they claimed in a publicly and internationally circulated e-mail letter that some of them had been tortured by the authorities while in prison.

In early 2002 in the eastern city of Abqaiq, 2 Filipino Christian residents were arrested and imprisoned in Dammam for conducting a Roman Catholic prayer group in their home. In April 2002, the 2 Filipinos were sentenced to 150 lashes and deportation following a 30-day jail sentence, allegedly for their religious beliefs. They were deported in late May 2002.

In April 2002, Saudi police and Mutawwa'in detained a total of 26 Christians in successive raids on 2 private houses where worship services were being held in a residential area of downtown Riyadh. One of those originally arrested later reported that after 2 days, 23 of the Christians were released, but that 3, 1 Sudanese and 2 Sri Lankans, were kept in detention and moved to another Riyadh prison. Their

Saudi sponsors believe that the three men probably will be deported following a trial. Following these raids, the authorities returned to one of the private houses and confiscated chairs, Bibles, musical instruments, a microphone, and curtains that they ripped from the walls.

In May 2002, Saudi police and Mutawwa'in detained a total of 11 Christians, including foreign nationals from both Ethiopia and Eritrea, then living in the Jeddah area at the end of the period covered by this report. They allegedly had been engaged in activities that violated restrictions against public worship. Of the 11, 3 had been deported and 8 remained in prison.

There were reports during the period covered by this report that authorities interrogated members of the tiny Baha'i community regarding the size and status of their community, although there were no reports of any additional actions taken against them.

Magic is widely believed in and sometimes practiced, often in the form of fortune-telling and swindles; however, under Shari'a, the practice of magic is regarded as the worst form of polytheism, an offense for which no repentance is accepted and which is punishable by death. There are an unknown number of detainees held in prison on the charge of "sorcery," including the practice of "black magic" or "witchcraft." In a few cases, self-proclaimed "miracle workers" have been executed for sorcery involving physical harm or apostasy.

Mutawwa'in practices and incidents of abuse varied widely in different regions of the country. While reports of incidents were most numerous in the central Nejd region, which includes the capital Riyadh, reports of incidents in the eastern province increased during the period covered by this report. In certain areas, both the Mutawwa'in and religious vigilantes acting on their own harassed, assaulted, battered, arrested, and detained citizens and foreigners. The Government requires the Mutawwa'in to follow established procedures and to offer instruction in a polite manner; however, Mutawwa'in do not always comply with the requirements. The Government has not criticized abuses by the Mutawwa'in directly, but criticism of the group has appeared in the largely government-controlled English-language press. The Government has sought to curtail these abuses; however, the abuses continue.

Mutawwa'in enforcement of strict standards of social behavior included closing commercial establishments during five daily prayer observances, insisting upon compliance with strict norms of public dress and dispersing gatherings in public places. Mutawwa'in frequently reproached citizen and foreign women for failure to observe strict dress codes, and detained men and women found together who were not married or closely related.

The Mutawwa'in have the authority to detain persons for no more than 24 hours for violation of strict standards of proper dress and behavior; however, they sometimes exceeded this limit before delivering detainees to the police. Procedures require a police officer to accompany the Mutawwa'in at the time of arrest. Mutawwa'in generally complied with this requirement. According to reports, the Mutawwa'in also are no longer permitted to detain citizens for more than a few hours, may not conduct investigations, and may no longer allow unpaid volunteers to accompany official patrols.

#### *Forced Religious Conversion*

Under the law, children of Saudi fathers are considered Muslim, regardless of the county or the religious tradition in which they may have been raised. In some cases, children raised in other countries and in other religious traditions who came to Saudi Arabia or who were taken by their Saudi fathers to Saudi Arabia reportedly were coerced to conform to Islamic norms and practices, although forcible conversion is prohibited. There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States during the period covered by this report, or of the Government's refusal to allow such citizens to be returned to the United States. However, there was a report that prior to the period covered by this report, at least one U.S. citizen child in the country was subjected to pressure—and at times force—by her Saudi relatives to renounce Christianity and conform to Islamic norms and practices. The child has since returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

There is societal discrimination against members of the Shi'a minority; however, improved relations between Iran (a predominately Shi'a nation) and Saudi Arabia in the period covered by this report continued to improve the climate of Sunni-Shi'a relations in the country. The overwhelming majority of citizens support an Islamic

state and oppose public non-Muslim worship. They believe this stance conforms with a teaching of the Prophet Muhammad. The official title of the head of state is "Custodian of the Two Holy Mosques," and the role of the King and the Government in upholding Islam in the country is regarded as a paramount function throughout the Muslim world.

Many non-Muslims who undertook religious observances privately and discreetly during the period covered by this report were not disturbed; however, problems occurred after some citizens complained to the authorities about services by their neighbors. Some non-Muslims claim that informants paid by the Mutawwa'in infiltrate their private worship groups. Employers claim that contracts of non-Muslim employees were not renewed because of performance problems or efforts to increase employment opportunities for Saudi workers.

Relations between Saudi Muslims and foreign Muslims are generally good. Each year the country welcomes approximately 2 million Muslim pilgrims from all over the world and of all branches of Islam, who visit the country during a 2-week period to perform the Hajj. Foreign Muslims of all denominations may pray freely in mosques as long as they follow Saudi Sunni prayer practices, although foreign imams have a more difficult time obtaining employment in mosques than their Saudi counterparts.

In certain areas, religious vigilantes unaffiliated with the Government and acting on their own harassed, assaulted, battered, arrested, and detained citizens and foreigners.

#### SECTION IV. U.S. GOVERNMENT POLICY

Senior U.S. government officials on numerous occasions during the period covered by this report raised the issue of religious freedom with government officials and sought reconfirmation of the Government's commitment to permit private non-Muslim worship. In December 2001, U.S. embassy officers met with Ministry of Foreign Affairs (MFA) officials to deliver and discuss the U.S. Government's 2001 Annual Report on International Religious Freedom. In May 2002, senior U.S. embassy officers met again with MFA officials to protest the detention of Christians arrested in the Eastern Province and the detention of Christian worshipers in Riyadh. In addition embassy officers met with MFA officials at various other times during the year on matters pertaining to religious freedom.

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## SYRIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, it imposes restrictions in some areas.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government monitors the activities of all groups, including religious groups, discourages aggressive proselytizing, and has banned Jehovah's Witnesses as a politically motivated Zionist organization.

The generally amicable relationship among religions in society contributed to religious freedom. However, there were periodic reports of friction between religious faiths.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 71,498 square miles, and its population is approximately 17 million. Sunni Muslims represent approximately 74 percent of the population (approximately 12.6 million persons). Other Muslim groups, including Druze, Alawi, Ismailis, Shi'a, and Yazidis, constitute an estimated 16 percent of the population (approximately 2.7 million persons). A variety of Christian denominations make up the remaining 10 percent of the population (approximately 1.7 million persons). The great majority of Christians belong to the Eastern groups that have existed in the country since the earliest days of Christianity. The main Eastern groups belong to autonomous Orthodox churches, the Uniate churches, which recognize the Roman Catholic Pope, and the independent Nestorian Church. There also are believed to be approximately 85 Jews. It is difficult to obtain precise population estimates for various religious denominations due to government sensitivity to sectarian demographics.

The largest Christian denomination is the Greek Orthodox Church, known in Syria as the Greek Orthodox Patriarchate of Antioch and All the East. The Syrian

Orthodox Church is notable for its use of a Syriac liturgy. Most Syrians of Armenian origin belong to the Armenian Apostolic Church, which uses an Armenian liturgy. The largest Uniate church in the country is the Greek Catholic Church. Other Uniate denominations include the Maronite Church, the Syrian Catholic Church, and the Chaldean Catholic Church, which derives from the Nestorian Church. The Government also permits the presence, both officially and unofficially, of other Christian denominations, including Baptist, Mennonite, and the Church of Jesus Christ of Latter-Day Saints (Mormons).

Sunni Muslims are present throughout the country. Christians tend to be urbanized and most live in Damascus and Aleppo, although significant numbers live in the Hasaka governorate in the northeast. A majority of the Alawis live in the Latakia governorate. A significant majority of the Druze population resides in the rugged Jabal al-Arab region in the southeast. The few remaining Jews are concentrated in Damascus and Aleppo. Yazidis are found primarily in the northeast.

Foreign missionary groups are present but operate discreetly.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, it imposes restrictions in some areas. The only advantage given to a particular religion by the Constitution is the requirement that the President be a Muslim. There is no official state religion, although the majority of the population is Sunni Muslim.

All religions and orders must register with the Government, which monitors fundraising and requires permits for all meetings by religious (and non-religious) groups, except for worship. Recognized religious groups receive free utilities and are exempt from real estate taxes and personal property taxes on official vehicles.

There is a strict de facto separation of church and state. Religious groups tend to avoid any involvement in internal political affairs. The Government, in turn, generally refrains from becoming involved in strictly religious issues, including direct support for programs promoting interfaith understanding. Nevertheless, government policies tend to support the study and practice of moderate forms of Islam.

The Government generally does not prohibit links by its citizens with coreligionists in other countries or with a supranational hierarchy. In May 2001, Pope John Paul II visited the country and conducted a public Mass in Damascus, which representatives of all of the country's Orthodox and Uniate Christian denominations attended. The Government also allowed the Pope to tour the Umayyad Mosque in Damascus, which was the first time in history that a Pontiff visited a mosque. At a ceremony welcoming the Pope to the country, President Bashar al-Asad gave a speech that was denounced widely as anti-Semitic (see Section IV).

All schools officially are government-run and nonsectarian, although some schools are run in practice by Christian and Jewish minorities. There is mandatory religious instruction in schools, with government-approved teachers and curricula. Religion courses are divided into separate classes for Muslim and Christian students. Jews have a separate primary school, which offers religious instruction on Judaism, in addition to traditional subjects. Although Arabic is the official language in public schools, the Government permits the teaching of Armenian, Hebrew, Syriac (Aramaic) and Chaldean in some schools on the basis that these are "liturgical languages."

Both Orthodox and Western Easter and three Muslim religious holidays (Eid al-Adha, Eid al-Fitr, and the Prophet Mohammed's birthday) are recognized as national holidays.

Religious groups are subject to their respective religious laws on marriage, divorce, child custody, and inheritance.

### *Restrictions on Religious Freedom*

In 1964 the Government banned Jehovah's Witnesses as a politically motivated Zionist organization. However, Jehovah's Witnesses have continued to practice their faith privately despite the official ban.

Although the law does not prohibit proselytizing, the Government discourages such activity in practice, particularly when it is deemed a threat to the relations among religious groups.

The security services constantly are alert to any possible political threat to the State and all groups, religious and non-religious, are subject to surveillance and monitoring by government security services. The Government considers militant Islam in particular a threat to the regime and follows closely the practice of its ad-

herents. The Government has allowed many mosques to be built; however, sermons are monitored and controlled and mosques are closed between prayers.

The Government primarily cites political rather than religious reasons for barring Jews from government employment and for exempting them from military service obligations. Jews also are the only religious minority group whose passports and identity cards note their religion.

Government policy officially disavows sectarianism of any kind. However, in the case of the President's Alawi Muslim group, religion can be a contributing factor in determining career opportunities. For example, Alawis hold a predominant position in the security services and military, well out of proportion to their percentage of the population.

For Muslims personal status law on divorce is based on Shari'a (Islamic law), and some of its provisions as interpreted discriminate against women. For example, husbands may claim adultery as grounds for divorce, but wives face more difficulty in presenting the same case. If a woman requests a divorce from her husband, she may not be entitled to child-support in some instances. In addition under the law a woman loses the right to custody of her sons when they reach age 9 and her daughters at age 12. Inheritance for Muslims also is based on Shari'a. Accordingly Muslim women usually are granted half of the inheritance share of male heirs. However, Shari'a mandates that male heirs provide financial support to the female relatives who inherit less. For example, a brother who inherits an unmarried sister's share from their parents' estate is obligated to provide for the sister's well-being. If the brother fails to do so, she has the right to sue. Polygyny is legal but is practiced only by a small minority of Muslim men.

#### *Abuses of Religious Freedom*

There were credible reports of large-scale arrests of Syrian and Palestinian Islamists affiliated with the Muslim Brotherhood and the Liberation Party in late 1999 and early 2000. Some of the Islamist prisoners reportedly were tortured in detention. These arrests were motivated primarily by the Government's view of militant Islamists as potential threats to regime stability. In November 1999, the Government declared an amnesty for 600 political prisoners and detainees and a general pardon for some nonpolitical prisoners. There were credible reports that several hundred Islamists were among those political prisoners who benefited from the amnesty. Presidential amnesties issued in November 2000 and December 2001 reportedly freed hundreds of oppositionist political prisoners, including many members of the Muslim Brotherhood, although it is believed that some remain in custody.

There was a credible report that three Syrian Druze men who had converted to Christianity were arrested in March 2001 by Syrian intelligence officials in Lebanon, possibly on suspicion of membership in Jehovah's Witnesses. They reportedly were transferred to prison in Syria, held for 2 months, and then released after signing papers stating that they would cease attending their church and cease contact with their pastor.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations among the various religious communities generally are amicable, and there is little evidence of societal discrimination or violence against religious minorities. The Syrian press, which the Government tightly controls, occasionally publishes anti-Semitic articles that contribute to antagonism towards Jews. There were periodic reports of friction between religious faiths, which may be related to deteriorating economic conditions and internal political issues. Specifically, there were reports of minor incidents of harassment and property damage against Jews in Damascus. These incidents are believed to be in reaction to Israeli actions against Palestinians. On October 12, 2000, a group of Palestinians threw bricks, stones, and Molotov cocktails at a synagogue in Damascus, apparently in reaction to the Israeli Government's use of force against Palestinians in the occupied territories. No one was injured in the attack; however, the synagogue was damaged slightly and closed for approximately 1 month. The Government took immediate steps to ensure that the Jewish community would be protected from further attacks.

Although no law prohibits religious denominations from proselytizing, the Government is sensitive to complaints by religious groups of aggressive proselytizing by other groups and has intervened when such activities threatened the relations among religions (see Section II). Societal conventions make conversions relatively

rare, especially in the case of Muslim-to-Christian conversions. In many cases, societal pressure forces those who undertake such conversions to relocate within the country or to leave the country in order to practice their new religion openly.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Ambassador and other embassy officials meet routinely with religious leaders and adherents of almost all denominations at the national, regional, and local levels. In May 2001, the State Department spokesman criticized as unacceptable and regrettable President Asad's speech during the Pope's visit, in which he characterized Jews as the betrayers of Christ and the Prophet Mohammed (see Section II).

The Embassy funded two programs to promote religious freedom and tolerance during the period covered by this report. Embassy officials remained sensitive to any change in the degree of religious freedom in the country.

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## TUNISIA

Islam is the state religion. The Constitution provides for the free exercise of other religions that do not disturb the public order, and the Government generally observes and enforces this right; however, there were some restrictions and abuses.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government does not permit the establishment of political parties on the basis of religion, prohibits proselytizing, and partially limits the religious freedom of members of the Baha'i faith.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 63,170 square miles and its population is 9.6 million. The vast majority of the population is nominally Muslim. There is no reliable data on the number of practicing Muslims. There is a small indigenous Sufi Muslim community; however, there are no statistics regarding its size. Reliable sources report that many Sufis left the country shortly after independence when their religious buildings and land reverted to the Government (as did those of Orthodox Islamic foundations), leaving them no place to worship. Although the Sufi community is small, its tradition of mysticism permeates the practice of Islam throughout the country. During annual Ramadan festivals, Sufis provide public cultural entertainment with whirling dervish dances.

The nominal Christian community—composed of foreign temporary and permanent residents and a small group of native-born citizens of both European and Arab origin—numbers approximately 20,000 and is dispersed throughout the country. According to church leaders, the practicing Christian population is approximately 1,000 and includes an estimated 200 native-born ethnic Arab citizens who have converted to Christianity. The Catholic Church operates seven churches, six private schools, and six cultural centers/libraries throughout the country, as well as one hospital in Tunis, the capital. It has approximately 400 practicing members, composed of temporary and permanent foreign residents and a small number of native-born citizens of European and Arab origin. In addition to holding religious services, the Catholic Church also freely organizes cultural activities and performs charitable work throughout the country. The Russian Orthodox Church has 100 practicing members and operates 2 churches—1 in Tunis and 1 in Bizerte. The French Reform Church operates 1 church in Tunis, with a congregation of 140 primarily foreign members. The Anglican Church has approximately 50 foreign members who worship in a church in Tunis. The 30-member Greek Orthodox Church maintains 1 church each in Tunis, Sousse, and Jerba. There are also 50 members of Jehovah's Witnesses, of which about half are foreign residents and half are native-born citizens.

With 1,800 adherents split nearly equally between the capital and the island of Jerba, the Jewish community is the country's largest indigenous religious minority. The Jewish community on the island of Jerba dates back 2,500 years. There are also 150 members of the Baha'i Faith.

There is no information available regarding the number of atheists in the country.

Foreign missionary organizations and groups operate; however, they are not permitted to proselytize in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

Islam is the state religion. The Constitution provides for the free exercise of other religions that do not disturb the public order, and the Government generally observes and enforces this right; however, it does not permit the establishment of political parties based on religion, prohibits proselytizing, and partially limits the religious freedom of Baha'is. The Constitution stipulates that the President of the Republic must be a Muslim.

The Government recognizes all Christian and Jewish religious organizations that were established before independence in 1956. Although the Government permits Christian churches to operate freely, only the Catholic Church has formal recognition from the post-independence Government. The other churches operate under land grants signed by the Bay of Tunis in the 18th and 19th centuries, which are respected by the post-independence Government. Since October 1999, the Government has not acted on a request for recognition of a Jewish religious organization in Jerba; however, the group has been permitted to operate and it performs religious activities and charitable work unhindered.

The Muslim holidays of Aid El-Kebir, Ras Al-Am El-Hejri, Mouled, and Aid Essighir are observed as national holidays.

The Government promotes interfaith understanding by sponsoring regular conferences and seminars on religious tolerance and by facilitating and promoting the annual Jewish pilgrimage to the El-Ghriba Synagogue. In 2000 the University of Manouba established the only chair of comparative religion in the country with the help of United Nations Educational, Scientific, and Cultural Organization (UNESCO).

*Restrictions on Religious Freedom*

The Government controls and subsidizes mosques and pays the salaries of prayer leaders. The President appoints the Grand Mufti of the Republic. The 1988 Law on Mosques provides that only personnel appointed by the Government may lead activities in mosques, and stipulates that mosques must remain closed except during prayer times and other authorized religious ceremonies, such as marriages or funerals. New mosques may be built in accordance with national urban planning regulations; however, they then become the property of the State. The Government also subsidizes partially the Jewish community.

The Government does not permit the establishment of political parties on the basis of religion, and uses this prohibition to refuse recognition of the illegal Islamist An-Nahdha Party and to prosecute suspected party members. The Government maintains tight surveillance over Islamists and members of the Islamic fundamentalist community. The Government has revoked the identity cards of an estimated 10,000 to 15,000 Islamists and fundamentalists, which prevents them from being employed legally, attending court hearings, or using public telephones or faxes. According to reliable sources, the Government has refused to issue passports to Islamists and fundamentalists, and has reportedly confiscated the passports of a small number of Tunisian Christian converts. The Government forbids the wearing of hijab (traditional headscarves worn by Islamist and Islamic fundamentalist women) in government offices. There were some reports of police requiring women to remove their hijabs in offices and on the street.

The Government allows the Jewish community freedom of worship and pays the salary of the Grand Rabbi. It also partially subsidizes restoration and maintenance costs for some synagogues. In October 1999, the provisional Jewish community elected a new board of directors, its first since independence in 1956; however, the board has not met while it awaits approval from the governor of Tunis. Once the governor approves the election, which originally was expected to be only a formality, the board (now referred to as the Jewish Committee of Tunisia) is expected to receive permanent status. Approval had not been granted by the governor by the end of the period covered by this report, although approval still is expected. The Government permits the Jewish community to operate private religious schools and allows Jewish children on the island of Jerba to split their academic day between secular public schools and private religious schools. The Government also encourages Jewish émigrés to return for the annual Jewish pilgrimage to the historic El-Ghriba Synagogue on the island of Jerba. However, during the period covered by this report, the Government continued to refuse recognition to a Jewish religious organization in Jerba, although the group has been permitted to operate and perform religious activities and charity work unhindered.

The Government regards the Baha'i Faith as a heretical sect of Islam and permits its adherents to practice their faith only in private. Although the Government per-

mits Baha'is to hold meetings of their National Council in private homes, it reportedly has prohibited them from organizing local councils. The Government reportedly pressures Baha'is to eschew organized religious activities. There are credible reports that police periodically call in prominent Baha'is for questioning; however, the number of such incidents decreased during the period covered by this report. The Government also unofficially denied the Baha'i request for permission to elect local assemblies during the period covered by this report. The Government also does not permit Baha'is to accept a declaration of faith from persons who wish to convert.

In general the Government does not permit Christian groups to establish new churches, and proselytizing is viewed as an act against public order. Foreign missionary organizations and groups operate; however, they are not permitted to proselytize. Authorities deport foreigners suspected of proselytizing and do not permit them to return. There were no reported cases of official action against persons suspected of proselytizing during the period covered by this report; however, in April 2001, there were reports that materials distributed by Christian missionaries in Sfax were confiscated from local secondary students.

There were reports of cases during the period covered by this report in which the Government punished individuals who converted to another faith from Islam by denying them the ability to obtain a passport, to vote, and to enlist in the military, among other rights.

Islamic religious education is mandatory in public schools, but the religious curriculum for secondary school students also includes the history of Judaism and Christianity. The Zeitouna Koranic School is part of the Government's national university system.

Both religious and secular nongovernmental organizations (NGO's) are governed by the same legal and administrative regulations that impose some restrictions on freedom of assembly. For example, all NGO's are required to notify the Government of meetings to be held in public spaces at least 3 days in advance and to submit lists of all meeting participants to the Ministry of Interior. In 2000 there were credible reports that two Christian religious organizations did not attempt to register because they believed that their applications would be rejected; however, they were able to function freely under the auspices of their respective churches. Neither group believed that it was a victim of religious discrimination. A third group, composed of foreign Christians mostly from Sweden and the United Kingdom, is active in providing medical and social services in the city of Kasserine in the west. Despite its ambiguous legal status, this group (with 15 to 20 members) reports that it has been free to pursue its social and medical work without interference and states that it does not believe that it has been subject to religious discrimination.

Religious groups are subjected to the same restrictions on freedom of speech and the press as secular groups. Primary among these restrictions is "depot legal," which formerly required that printers and publishers provide copies of all publications to the Chief Prosecutor, the Ministry of Interior, and the Ministry of Culture prior to publication. In April 2001, the Chamber of Deputies approved several changes to the Press Code, including the designation of the Ministry of Human Rights, Communications, and Relations with the Chamber of Deputies as the sole central censorship office. Similarly, distributors must deposit copies of publications printed abroad with the Chief Prosecutor and various ministries prior to their public release. Although Christian groups reported that they were able to distribute previously approved religious publications in European languages without difficulty, they claimed that the Government generally did not approve either publication or distribution of Arabic-language Christian material. Moreover, authorized distribution of religious publications was limited to existing religious communities, because the Government views public distribution of religious documents as a threat to public order and hence an illegal act.

Muslim women are not permitted to marry outside their religion. Marriages of Muslim women to non-Muslim men abroad are considered common law, which are prohibited and thus void when the couple returns to the country. Non-Muslim women who marry Muslim men are not permitted to inherit from their husbands, nor may the husband and any children (who are considered Muslim) from the marriage inherit from the non-Muslim wife.

Civil law is codified; however, judges are known to override codified law if their interpretation of Shari'a (Islamic law) contradicts it. For example, codified laws provide women with the legal right to have custody over minor children; however, judges have refused to grant women permission to leave the country with minor children, holding that Shari'a appoints the father as the head of the family and that he must grant children permission to travel.

Generally, Shari'a based interpretation of civil law is applied only in some family cases. Some families avoid the application of Shari'a in inheritance questions by exe-

cuting sales contracts between parents and children to ensure that sons and daughters receive equal shares of property.

In court a woman's testimony is worth the same as a man's.

#### *Abuses of Religious Freedom*

During the period covered by this report, credible sources estimate as many as 1,000 persons were serving prison sentences because of their membership in the illegal Islamist group An-Nahdha or for their alleged Islamist sympathies; however, there were no reports of cases in which it was clear that persons were arrested or detained based solely on their religious beliefs. The Government claims An-Nahdha is a terrorist organization and has accused it of plotting the overthrow of the Government in the early 1990's. A credible source reported that high-ranking leaders of the illegal An-Nahdha have been held in solitary confinement since 1991. Sadok Chourou, a former An-Nahdha member who was sentenced in 1991 for membership in an illegal organization, conducted a hunger strike in May 2001 and again in June 2002 to protest his isolated confinement and the denial of visits by his family.

During the period covered by this report, the Government tried and convicted numerous suspected members of the Islamist community on charges of belonging to an illegal organization. Twenty alleged An-Nahdha members were tried before a criminal court on April 17, 2001, after nearly 4 years in detention. Among them were Ahmed Laamari, Yousef Khedri, and Chokri Gargoui. All the defendants were found guilty of membership in An-Nahdha and sentenced to between 3 and 8 years of prison. Mehdi Zoughah was convicted in February 2001 of belonging to an illegal organization for purportedly holding a meeting with An-Nahdha leader Salah Kerker in Marseille, France, in the early 1990's. Zoughah was convicted on the basis of a single witness whom the Government could not produce in court. Zoughah also was sentenced to 2 years administrative control after his release, under which he is required to sign in at a local police station three times a day. On March 30, 2001, Zougah was released as a result of international pressure. In March 2001, Haroun Mbarek was convicted of belonging to An-Nahdha on the basis of a witness' statement that had been retracted. In May 2001, Mbarek was released from prison on conditional parole. Mbarek's passport eventually was returned to him and, in September 2001, he was granted his ministerial permit from Canadian authorities to return to Canada. Presiding judges in trials of Islamists routinely refuse to investigate claims by defendants that their confessions were extracted under torture.

The Government also continued to place Islamists under administrative control. For example, Hedi Bejaoui has been under administrative control since 1990. Bejaoui was arrested and released in 1990 for membership in An-Nahdha. In May 2001 he began a hunger strike that lasted 6 weeks (ending on June 26, 2001) to protest his administrative control and the seizure of his passport. Bejaoui attempted to travel abroad for medical treatment after the authorities took his medical insurance card.

Sources also report that police awaken suspected Islamists in the night and bring them to police headquarters for interrogation. Human rights activists allege that the Government subjected the family members of Islamist activists to arbitrary arrest and other restrictions, reportedly utilizing charges of "association with criminal elements" to punish family members. For example, one female medical doctor claims that she has been unemployed since 1997 because police have pressured hospitals not to hire her because her husband was convicted of membership in An-Nahdha. One man claimed that for 8 years, the Government refused to issue him a passport because his brother was prosecuted for membership in An-Nahdha.

According to human rights lawyers, the Government regularly questioned Muslims who were observed praying frequently in mosques. Reliable sources report that the authorities instruct imams to espouse government social and economic programs during prayer times in mosques.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who have been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. However, there were incidents of possible religiously motivated violence. In March 2002, a synagogue in the Tunis suburb of La Marsa was broken into and vandalized. In April 2002 a synagogue in Sfax, a southern commercial city also was vandalized. No injuries were reported and damage at each of the synagogues was minor. The Government responded by increasing security at both sites.

On April 11, 2002, a terrorist attack outside the historic El-Ghriba synagogue on the island of Jerba killed 21 persons and damaged the interior of the synagogue. Two weeks before the annual ElGhriba pilgrimage (See Section I), the driver of a truck transporting liquid gas detonated an explosive device while the truck stood at the Synagogue's compound wall. The explosion killed 17 tourists and 4 Tunisians, including the driver. The Government initially claimed that the explosion was an accident; however, on April 22, after German authorities became involved in the investigation it admitted that the incident was an attack. The Government provided increased security for the synagogue and encouraged pilgrims and tourists to visit El-Ghriba despite the attack.

There is great societal pressure for Muslims not to convert to other religions, and conversion from Islam is relatively rare. Muslims who do convert may face social ostracism for converting. There is some conversion among individuals in the Christian and Jewish communities.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

The U.S. Embassy maintains good relations with leaders of majority and minority religious groups throughout the country, and the Ambassador and other embassy officials met regularly with Muslim, Christian, Jewish, and Baha'i religious leaders throughout the period covered by this report. Embassy officials discussed religious freedom issues with government officials on various occasions during the year.

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### UNITED ARAB EMIRATES

The Federal Constitution designates Islam as the official religion, and Islam is also the official religion of all seven of the constituent emirates of the federal union. The Federal Constitution also provides for the freedom to exercise religious worship in accordance with established customs, provided that it does not conflict with public policy or violate public morals, and the Government generally respects this right in practice and does not interfere with the private practice of religion; however, it controls virtually all Sunni mosques, prohibits proselytizing, and restricts the freedom of assembly and association, thereby greatly limiting the ability of religious groups without dedicated religious buildings to worship and conduct business. The Government permits de facto recognition of a small number of Christian denominations through the issuance of land use permits to build and operate churches,

The status of respect for religious freedom improved somewhat during the period covered by this report. Permission for land use was given to three Christian churches, and one new church opened.

The generally amicable relationship among religions in society contributed to a relatively tolerant atmosphere for the practice of a wide variety of faiths, albeit within the context of a predominantly Muslim society in which Islam has a privileged status and not all non-Islamic religions enjoy equal treatment.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country's total land area is 32,300 square miles, and its population is approximately 3.1 million. More than 80 percent of the population are noncitizens. Virtually all of the country's citizens are Muslims, with approximately 85 percent followers of Sunni Islam and the remaining 15 percent followers of Shi'a Islam. Foreigners are predominantly from South and Southeast Asia, although there are a substantial number of professionals from the Middle East, Europe, and North America. Although no official figures are available, local observers estimate that approximately 55 percent of the foreign population are Muslim, 25 percent are Hindu, 10 percent are Christian, 5 percent are Buddhist, and 5 percent (most of whom reside in Dubai and Abu Dhabi) are a mixture of other faiths, including Parsi, Baha'i, and Sikh.

Although the Government does not permit foreign missionaries to proselytize, they have performed nontraditional humanitarian missionary work since before the country's independence in 1971. In 1960 Christian missionaries opened a maternity hospital in Abu Dhabi Emirate; the hospital continues to operate. Missionaries also operate a maternity hospital in Fujeirah Emirate. An International Bible Society representative in AlAin distributes bibles and other religious material to Christian religious groups here.

There are no available statistics on the number of atheists.

## SECTION II: STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Federal Constitution designates Islam as the official religion, and Islam is also the official religion of all seven of the individual emirates in the federal union. The Federal Constitution also provides for the freedom to exercise religious worship in accordance with established customs, provided that it does not conflict with public policy or violate public morals, and the Government generally respects this right in practice; however, it controls virtually all Sunni mosques, prohibits proselytizing, and restricts the freedom of assembly and association, thereby greatly limiting the ability of religious groups without dedicated religious buildings to worship and conduct business. The Government permits de facto recognition of a small number of Christian denominations through the issuance of land use permits for the construction and operation of churches. The Government funds or subsidizes virtually all Sunni mosques and employs all Sunni imams. The Government also distributes guidance on religious sermons and monitors for political content sermons delivered in all mosques, whether Sunni or Shi'a; however, except in Dubai, it does not appoint the imams in the country's Shi'a mosques.

Virtually all Sunni mosques are government funded or subsidized; approximately 5 percent of Sunni mosques are entirely private, and several large mosques have large private endowments.

The Shi'a minority, which is concentrated in the northern emirates, is free to worship and maintain its own mosques. All Shi'a mosques are considered private and receive no funds from the Government. Shi'a Muslims in Dubai may pursue Shi'a family law cases through a special Shi'a council rather than the Shari'a courts.

The Ministry of Justice, Islamic Affairs, and Awqaf operates as the central federal regulatory authority for Muslim imams and mosques. There is no such authority for the recognition and regulation of non-Muslim religions, and no licensing or registration requirements.

The Government follows a policy of tolerance towards non-Muslim religions and, in practice, interferes very little in the religious activities of non-Muslims. Apparent differences in the treatment of Muslim and non-Muslim groups often have their origin in the dichotomy between citizens and noncitizens rather than religious difference.

As the state religion, Islam is favored over other religions and conversion to Islam is looked upon favorably. A list of Muslim converts is published annually. Prisoners who convert to Islam often receive a reduction in their sentence. Anecdotal evidence reveals that private sources often provide converts to Islam with monetary payments and job offers.

Muslim religious holidays are granted status as national holidays, namely, Waqfa, Eid Al-Adha, the Islamic New Year, the Prophet's Birthday, Ascension Day, and Eid Al-Fitr. There are no reports that these holidays negatively impact other religious groups because of their religious affiliation. However, all residents and visitors are required by law during Ramadan to respect and abide by some of the behavior restrictions imposed on Muslims, and are forbidden publicly to eat, drink, or smoke during fasting hours.

The principal religious advisor to Abu Dhabi Emirate's Ruler regularly represents the country at ecumenical conferences and events in other countries. In 1999 Dubai Emirate established a center for the promotion of cultural understanding aimed at expanding contact and interchange between citizens and resident foreigners. One of the center's goals is to expose foreigners to aspects of the indigenous culture, including Islam.

### *Restrictions on Religious Freedom*

The Federal Ministry of Justice, Islamic Affairs, and Awqaf distributes weekly guidance to both Sunni imams and Shi'a sheikhs regarding religious sermons and ensures that clergy do not deviate frequently or significantly from approved topics in their sermons. All Sunni imams are employees of either the Federal Ministry of Justice, Islamic Affairs, and Awqaf or of individual emirate ministries. Except in Dubai, where the Department of Islamic Affairs and Endowments controls in all mosques the appointment of preachers and the conduct of their work, the Government does not appoint sheikhs for Shi'a mosques.

There does not appear to be a formalized method for granting religious groups official status. Rather, the ruling families may grant access to land and permission to build a church thereon. Since not all religious groups have land-use grants with churches built thereon, several unrelated Christian congregations are required to

share common facilities. Even so, because Islam considers Christianity to be one of the three monotheistic religions, facilities for Christian congregations are far greater in number and size than those for non-Christian and non-Muslim groups, despite the fact that Christians represent less than a quarter of non-Muslim foreigners.

Some non-Muslims are permitted to practice their religion freely in religious compounds built on land grants from the local rulers. In such cases, a religious group leader requests from the local ruler a grant of land (title to which remains with the ruler) and permission to build a church thereon. Religious groups without land grants and churches built thereon are limited in their ability to assemble for worship and to conduct business, but are allowed to worship on the compounds of other religious groups if permitted by such religious groups to do so. Discreet, offcompound private and public gatherings are not targeted or disrupted by the police or other security forces.

Abu Dhabi, Dubai, and Sharjah have approximately 20 Christian church buildings built on land donated by the ruling families of the emirates in which they are located. Three emirates are home to Catholic primary and secondary schools, and in 2001 the Catholic Church received permission to establish a secondary school in Fujairah.

In 1999 land was designated in Ras Al-Khaymah Emirate for the construction of a new Catholic church, but the church has not yet received permission to open, even though construction was completed in 2000. In early 2001, ground was broken in Jebel Ali for the construction of several churches on a parcel of land donated by the Government of Dubai to four Protestant congregations and a Catholic congregation. The Catholic church opened in November 2001. In May 2001, the Crown Prince of Dubai authorized the construction of a Greek Orthodox church on donated land.

Abu Dhabi and Dubai Emirates have donated land for Christian cemeteries, and Abu Dhabi has donated land for a Bah'ai cemetery. The Dubai Government permits one Hindu temple and two Sikh temples to operate. There are no such temples elsewhere in the country. There are no Buddhist temples; however, Buddhists, along with Hindus and Sikhs in cities without temples, conduct religious ceremonies in private homes without interference. There are only two operating cremation facilities and associated cemeteries for the large Hindu community, one in Dubai and one in Sharjah. Official permission must be obtained for their use in every instance, posing a hardship for the large Hindu community.

Non-Muslim religious groups do not receive funds from the Government. However, those with land grants are not charged rental payments, and some of the churches constructed on land grants were donated by the local ruling families. Also, the Sharjah government waives payment of utilities for churches because they are religious buildings. Non-Muslim groups are permitted to raise money from among their congregants and to receive financial support from abroad. Christian churches are permitted to advertise in the press certain church functions, such as memorial services.

The conversion of Muslims to other religions is regarded with extreme antipathy; therefore, the Government prohibits non-Muslims from proselytizing or distributing religious literature under penalty of criminal prosecution and imprisonment. In March 2001, Dubai police arrested four visiting noncitizens for violating laws barring non-Muslims from proselytizing because they distributed Christian religious materials, including videos and CD-ROMS, on a public street. One of those arrested was detained for less than a week. Authorities held the passports of those arrested during the investigation. They were able to move freely about Dubai but not permitted to leave the city. The charges against the noncitizens were dropped on April 8, 2001, and they left the country on April 9.

The authorities have threatened to revoke the residence permits of persons suspected of missionary activities. In addition customs authorities have questioned the entry of large quantities of religious materials (such as Bibles and hymnals) that they deemed in excess of the normal requirements of existing congregations, although in most instances the items have been permitted entry. Customs authorities reportedly are less likely to question the importation of Christian religious items than non-Muslim, non-Christian religious items, although in virtually all instances importation of the material in question eventually has been permitted.

Immigration authorities routinely ask foreigners to declare their religious affiliation, however, the Government does not collect or analyze this information, and religious affiliation is not a factor in the issuance or renewal of visas or residence permits. In late 2001, Abu Dhabi inquired about religious affiliation in its first municipalitywide census.

Non-Muslims are tried for criminal offenses in Shari'a courts. However, they may receive civil penalties at the discretion of the judge. Shari'a penalties imposed on non-Muslims also may be overturned or modified by a higher court.

Family law for Muslims is governed by Shari'a and the local Shari'a courts. Muslim men may marry non-Muslim women; however, Muslim women are not permitted to marry non-Muslim men unless the men convert to Islam. Because Islam does not consider the marriage between a non-Muslim man and a Muslim woman valid, both are subject to arrest, trial, and imprisonment on grounds of fornication. Shari'a, according to the Maliki school of jurisprudence, also is applied in cases of divorce. Women are granted custody of female children until they reach the age of maturity and are granted temporary custody of male children until they reach the age of 12. If the mother is deemed unfit, custody reverts to the next able female relative on the mother's side. Shari'a permits polygyny.

Islamic studies are mandatory in public schools (schools supported by the Federal Government for primarily citizen children) and in private schools for Muslim children. Religious instruction in non-Muslim religions is not permitted in schools. However, religious groups conduct religious instruction for their members on their religious compounds.

There were no reports of religious detainees or prisoners.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

Three new permits for access to land and permission to build were extended to Christian churches in major cities during the period covered by this report. In April 2002, the Al Ain municipality government authorized a land grant to the Anglican Church. In early 2002, the Fujairah government authorized land grants for the construction of an Indian Orthodox Church and a Catholic Church. A Catholic church, Dubai Emirate's second, opened in Jebel Ali in November 2001. Also during the period covered by the report, the Catholic Church received permission to establish a secondary school in Fujairah.

### SECTION III. SOCIETAL ATTITUDES

While citizens regard the country as a Muslim nation that should respect Muslim religious sensibilities on matters such as public consumption of alcohol, proper dress, and proper public comportment, society also places a high value on respect for privacy and on Islamic traditions of tolerance, particularly with respect to forms of Christianity. Modest casual attire for men and women generally is permitted in most emirates and facilities frequented by foreigners. Many hotels, stores, and other businesses patronized by both citizens and foreigners are permitted to sell alcohol and pork to non-Muslims, and to acknowledge non-Muslim holidays such as Christmas, Easter, and Diwali (although such displays generally are not permitted during the month of Ramadan). Citizens occasionally express concern regarding the influence on society of the cultures of the country's foreign majority. However, in general citizens are familiar with foreign societies and believe that they are able to best limit unwanted foreign influence by supporting and strengthening indigenous cultural traditions. Slightly less tolerant attitudes by citizens toward non-Muslim and non-Christian faiths reflect both traditional Islamic views of these religions and the fact that Hindus and Buddhists in the country are overwhelmingly less educated, less affluent, and work in less desirable occupations.

### SECTION IV. U.S. GOVERNMENT POLICY

The U. S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

In early 1998, the Ambassador sent a letter to the Government of Dubai emirate in support of the request of three Protestant congregations for expanded facilities in Dubai, and later raised the issue in official meetings with Dubai emirate leaders. In response to these requests—and with the support of the U.S. and UK Embassies—Dubai emirate donated land for these facilities and granted permission for their construction. While originally three churches were proposed, the Dubai municipality instructed that the number of churches to be built on the site increase from three to seven. In early 2001, ground was broken for the construction of several churches on the site. In early 2001, the U.S. Ambassador sent a letter to the government of the Dubai emirate in support of the request of the Greek Orthodox congregation for the construction of a church in Dubai; the request was quickly approved by the Crown Prince of Dubai. The Ambassador and other embassy personnel have participated regularly in ceremonies marking the opening or expansion

of religious facilities, and embassy officers meet on occasion with Muslims, Christians, and representatives of other religious faiths.

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## WESTERN SAHARA

The Constitution provides for freedom of religion; due to continuing Moroccan administrative control of the territory of the Western Sahara, the laws and restrictions regarding religious organizations and religious freedom are similar to those found in the Kingdom of Morocco.

There was no change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom.

The U. S. Government discusses religious freedom issues in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The territory has a total area of approximately 102,706 square miles, and its population is approximately 245,000. The overwhelming majority of the population is Sunni Muslim.

There is a tiny foreign community working for the United Nations Interposition Force in the territory (known by its French acronym, MINURSO).

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion; due to continuing Moroccan administrative control of the territory of the Western Sahara, the laws and restrictions regarding religious organizations and religious freedom are similar to those found in the kingdom of Morocco.

#### *Restrictions on Religious Freedom*

Restrictions on religious freedom in the Western Sahara are similar to those found in Morocco.

There were no reports of religious detainees or prisoners.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government, through the U.S. Embassy in Morocco, discusses religious freedom issues in the context of its overall dialog and policy of promoting human rights in the Western Sahara.

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## YEMEN

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some restrictions. The Constitution declares that Islam is the state religion. The Constitution also states that Shari'a (Islamic law) is the source of all legislation.

There was no change in the status of respect of religious freedom during the period covered by this report. Followers of religions other than Islam are free to worship according to their beliefs; however, the Government forbids conversions and prohibits non-Muslims from proselytizing.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 328,080 square miles, and its population is approximately 18 million. Virtually all citizens are Muslims, either of the Zaydi order of Shi'a Islam or the Shafa'i order of Sunni Islam, representing approximately 30 percent and 70 percent of the total population, respectively. There also are a few thousand Ismaili Muslims, mostly in the north.

Almost all Christians are temporary foreign residents, except for a few families living in Aden who trace their origins to India. There are a few Hindus in Aden who also trace their origins to India. There are several churches and Hindu places of worship in Aden, but no non-Muslim public places of worship exist in the former North Yemen, largely because northern Yemen does not have a history of a large, resident foreign community as in the south.

Christian missionaries operate in Yemen and most are dedicated to the provision of medical services; others are employed in teaching and social services. Invited by the Government, the Sisters of Charity run homes for the poor and persons with disabilities in Sana'a, Taiz, Hodeida, and Aden. The Government has requested the Vatican to open additional Sisters of Charity facilities. The Government issues residence visas to priests so that they may provide for the community's religious needs. There is also a German Christian charitable mission in Hodeida and a Dutch Christian medical mission in Saada. An American Baptist congregation has run a hospital in Jibla for more than 30 years. The Anglican Church runs a charitable clinic in Aden. An American nongovernmental organization (NGO), run by the Seventh-Day Adventists, operates in the governorate of Hodeida.

Nearly all of the country's once sizable Jewish population has emigrated. Approximately 500 Jews are scattered in a handful of villages between Sana'a and Saada in northern Yemen.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some restrictions. Followers of other religions are free to worship according to their beliefs and to wear religiously distinctive ornaments or dress; however, the Government forbids conversions, requires permission for the construction of new places of worship, and prohibits non-Muslims from proselytizing and holding elected office. The Constitution declares that Islam is the state religion. The Constitution also states that Shari'a is the source of all legislation.

##### *Restrictions on Religious Freedom*

The Government prohibits non-Muslims from proselytizing. Under Islam as applied in the country, the conversion of a Muslim to another religion is considered apostasy, a crime punishable by death. There were no reports of cases in which the crime was charged or prosecuted by government authorities. In January 2000, the director of the Aden office of the U.N. High Commissioner for Refugees (UNHCR) received a report that a Somali refugee, who allegedly had converted from Islam to Christianity after his arrival in Yemen, had been arrested for apostasy. The UNHCR's investigation found that the refugee had been detained on criminal charges previously by police in Aden and at the UNHCR's Al-Jahin camp. Although the refugee was registered with the UNHCR under a Christian name, he maintained an address in Sana'a under a Muslim name, was married to a Muslim woman, and possessed an Islamic marriage certificate. The UNHCR believed that authorities detained the refugee on criminal rather than religious grounds. The refugee was not charged formally and his trial was canceled. He was remanded to immigration detention, then released in July 2000. The UNHCR, with the Government's knowledge, arranged for the refugee to be resettled in a third country; he and his family departed the country on August 25, 2000.

The Government does not allow the building of new non-Muslim public places of worship without permission; however, in 1998 the country established diplomatic relations with the Vatican and agreed to the construction and operation of a "Christian center" in Sana'a. Weekly services for Catholic, Protestant, and Ethiopian Christians are held in the auditorium of a private company building in Sana'a without government interference. Christian church services are held regularly in other cities in private homes or facilities such as schools without harassment, and such facilities appear adequate to accommodate the small numbers involved.

The Papal Nuncio, resident in Kuwait, presented his credentials to the Government in May 2002 and was accredited as a nonresident ambassador. The country's ambassador to Italy was accredited to the Vatican in July 1999. President Ali Abdullah Saleh paid an official visit to the Vatican at the time of his state visit to Italy in April 2000.

Public schools provide instruction in Islam but not in other religions. However, almost all non-Muslims are foreigners who attend private schools.

There are no legal restrictions on the few hundred Jews who remain in the country, although there are traditional restrictions on places of residence and choice of employment (see Section III). In mid-2000 the Government suspended its policy of allowing Yemeni-origin Israeli passport holders to travel to Yemen on laissez-passer documents. However, Yemeni, Israeli, and other Jews may travel freely to and within the country on non-Israeli passports.

The Government has attempted to prevent the politicization of mosques in an attempt to curb extremism, including by monitoring mosques for sermons that incite violence or other political statements that it considers harmful to public security. Private Islamic organizations may maintain ties to pan-Islamic organizations and, in the past, have operated private schools; however, the Government monitors their activities. In May 2001, the Government mandated the implementation of a 1992 law to unify educational curriculums and administration of all publicly funded schools; the process of absorbing publicly funded Islamic schools into the national system was ongoing at the end of the period covered by this report.

Non-Muslims may vote; however, they may not hold elected office.

Following unification of North and South Yemen in 1990, owners of property previously expropriated by the Communist government of the former People's Democratic Republic of Yemen, including religious organizations, were invited to seek restitution of their property. However, implementation of the process, including for religious institutions, has been extremely limited, and very few properties have been returned to any previous owner.

Shari'a-based law and social custom discriminate against women. Men are permitted to take as many as four wives, although very few do so. By law the minimum age of marriage is 15. However, the law largely is not enforced, and some girls marry as early as age 12. In October 2001, the Women's National Committee proposed an amendment to increase the minimum age for marriage to 18. The proposal was approved by the Cabinet and was pending in the Parliament at the end of the period covered by this report. The law stipulates that the wife's "consent" to the marriage is required; "consent" is defined as "silence" for previously unwed women and "pronouncement of consent" for divorced women. The husband and the wife's "guardian" (usually her father) sign the marriage contract; in Aden and some outlying governorates, the wife also signs. The practice of bride-price payments is widespread, despite efforts to limit the size of such payments.

The law provides that the wife must obey the husband. She must live with him at the place stipulated in the contract, consummate the marriage, and not leave the home without his consent. Husbands may divorce wives without justifying their action in court; however, courts routinely mandate lengthy reconciliation periods prior to granting the husband's petition for divorce. A woman has the legal right to divorce; however, she must provide a justification, such as her husband's nonsupport, impotence, abrogation of the marriage contract (for example, of guarantees regarding her education or employment options), or taking of a second wife without her consent. A woman seeking a divorce also must repay the mahr (a portion of her bride price), which creates an additional hardship.

Women who seek to travel abroad must obtain permission from their husbands or fathers to receive a passport and to travel. They also are expected to be accompanied by male relatives. However, enforcement of this requirement is irregular. Shari'a-based law permits a Muslim man to marry a Christian or Jewish woman, but no Muslim woman may marry outside of Islam. Women do not have the right to confer citizenship on their foreign-born spouses; however, they may confer citizenship on children born in the country of foreign-born fathers.

#### *Abuses of Religious Freedom*

Official government policy does not prohibit or provide punishment for the possession of non-Islamic religious literature. However, on occasion, there were unconfirmed reports that foreigners were harassed by police for possessing such literature. In addition some members of the security forces occasionally censor the mail of Christian clergy who minister to the foreign community, ostensibly to prevent proselytizing.

There were unconfirmed reports that some police, without the authorization or knowledge of their superiors, on occasion have harassed and detained persons suspected of apostasy in order to compel them to renounce their conversions.

There were no reports of persons detained or imprisoned based solely on religion. Police and security forces detained suspected members of radical Islamist groups throughout the period covered by this report. Since September 2001, several hundred "Afghan Arabs" (Islamists who had returned after spending time in Afghanistan) have been detained for questioning. Many such persons were released in days; however, some reportedly continue to be detained beyond the maximum detention period.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The country is overwhelmingly Muslim. There are very small numbers of religious minorities, and relations among religious groups generally are amicable. There were no reported incidents of violence or discrimination between the adherents of the two main orders of Islam, Zaydi and Shafa'i Islam. Religiously motivated violence is neither incited nor tolerated by the Islamic clergy, except for a small politically motivated clerical minority often with ties to foreign extremist elements.

Religious minorities generally live in harmony with their Muslim neighbors. Apart from a small but undetermined number of Christians and Hindus of South Asian origin in Aden, Jews are the only indigenous religious minority. Their numbers have diminished significantly—from several tens of thousands to a few hundred—due to voluntary emigration over the last 50 years. Although the law makes no distinction, Jews traditionally are restricted to living in one section of a city or village and often are confined to a limited choice of employment, usually farming or handicrafts (primarily silver working). They are respected for their craftsmanship and their silver work is highly prized. Jews may, and do, own land. They may vote; however, as non-Muslims, they may not hold elected office (see Section II). Traditionally the tribal leaders of the regions in which the Jews have resided are responsible for protecting the Jews in their areas. A failure to provide this protection is considered a serious personal dishonor.

Christian clergy who minister to the foreign community are employed in teaching, social services, and health care.

On January 1, 2001, a small bomb blasted a 12-foot hole in the wall of Christ Church in Aden; there were no reported injuries. Five individuals believed to be linked to extremist Islamic groups were arrested in January 2001. In July 2001, all five were convicted for committing an act of terrorism. The appeals court reduced the primary perpetrator's sentence from 20 years to 15 years, while the other four were sentenced to varying periods of between 5 and 10 years. On January 10, 2001, in the village of Dhabyan in Amran governorate, an armed Muslim opened fire on worshipers during evening prayers at the local mosque; 4 men were killed and 17 wounded, 7 critically. The shootings appeared to be criminally rather than religiously motivated.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy maintains an active dialog on human rights issues with the Government, NGO's, and others, and discusses religious freedom issues in the overall context of the promotion of human rights. Embassy officers, including the Ambassador, meet periodically with representatives of the Jewish and Christian communities.



## SOUTH ASIA

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### AFGHANISTAN

For most of 2001, the Taliban, a Pashtun-dominated ultra-conservative Islamic movement, controlled approximately 90 percent of the country, including the capital of Kabul, and all major urban areas, except Faizabad. In 1997 the Taliban issued an edict renaming the country the Islamic Emirate of Afghanistan, and named its leader, Mullah Omar, Head of State and Commander of the Faithful, granting him ultimate authority. Omar headed the inner Shura (Council), located in the southern city of Kandahar. Under the Taliban, freedom of religion was restricted severely. Until October 7, a rival regime, the Islamic State of Afghanistan (generally known as the Northern Alliance or United Front), which nominally was headed by former Afghanistan President Burhanuddin Rabbani, an ethnic Tajik, controlled about 10 percent of the country. Rabbani and his chief military commander, Ahmed Shah Masood, for most of the year, controlled the majority Tajik areas in the country's extreme northeast. On October 7, 2001, Operation Enduring Freedom (OEF), a U.S.-led coalition, began a military action aimed at toppling the Taliban regime and eliminating the al-Qaida terrorist network in Afghanistan. U.S. forces worked in concert with anti-Taliban forces of the Northern Alliance as well as others in southern Afghanistan. By mid-November the Taliban had been removed from power and had retreated from Kabul to southwestern Afghanistan. On December 5, 2001 a U.N.-sponsored Afghan peace conference in Bonn, Germany approved a broad agreement for the establishment of a 6-month interim authority (AIA) to govern the country. The AIA Chairman, Hamid Karzai, and his cabinet took office December 22.

Since December 22, 2001, the legal basis for religious freedom in country has been found in the December 5, 2001 Bonn Agreement and in the 1964 constitution. The 1964 constitution proclaims Islam the "sacred religion of Afghanistan" and states that religious rites of the state shall be performed according to Hanafi doctrine. The Constitution also proclaims that "non-Muslim citizens shall be free to perform their rituals within the limits determined by laws for public decency and public peace." The June 2002 Loya Jirga (or Grand Assembly of traditional leaders) declared that the official name of the country is the "Islamic Transitional Government of Afghanistan (ITGA)." A Constitutional Commission mandated by the Bonn agreement is to draft a new constitution during 2002. By the end of the period covered by this report, a new constitution had not been drafted.

There was significant change in the status of respect for religious freedom during the period covered by this report. Before the October 2001 collapse of the Taliban, repression by the Taliban of the Hazara ethnic group, which is predominantly Shi'a Muslim, was particularly severe. Although the conflict between the Hazaras and the Taliban was political and military as well as religious, and it was not possible to state with certainty that the Taliban engaged in its campaign against the Shi'a solely because of their religious beliefs, the religious affiliation of the Hazaras apparently was a significant factor leading to their repression. The Taliban sought to impose its interpretation of Islamic observances in areas that it controlled and declared that all Muslims in such areas must abide by the Taliban's interpretation of Islamic law. The Taliban relied on a religious police force to enforce rules regarding appearance, dress, employment, behavior, religious practice, and freedom of expression and access to medical care. Persons who were found to be in violation of the edicts were subject to punishment meted out on the spot, which included beatings, detention, or both. In practice, the rigid policies adopted both by the Taliban and by certain opposition groups affect adversely adherents of other branches of Islam and other faiths.

However, after the fall of the Taliban, the AIA and the ITGA stated publicly and began to pursue actively a policy of religious tolerance. The ITGA has faced opposition to a more open policy from a variety of sources, including Taliban remnants

that seek a return to the pre-October 2001 system. Problems with religious freedom still exist, however. According to Human Rights Watch, since the collapse of the Taliban regime in the northern part of the country, ethnic Pashtuns throughout the country have faced widespread abuses including killings, sexual violence, beatings, and extortion. Pashtuns reportedly are targeted because their ethnic group was closely associated with the Taliban regime. According to Human Rights Watch, soon after the Taliban collapsed, Pashtun communities quickly were disarmed across the northern part of the country and faced widespread abuses at the hands of the three ethnic militias and by armed Uzbeks, Tajiks, and Hazaras not affiliated with the militias.

Relations between the different branches of Islam in the country are difficult. Historically, the minority Shi'a faced discrimination from the majority Sunni population.

Prior to the fall of the Taliban, the U.S. Government did not maintain an official presence in the country. The lack of diplomatic representation limited the U.S. Government's ability to take action to promote religious freedom. However, since the December 2001, opening of the U.S. Embassy in Kabul, the U.S. government has discussed religious freedom issues with Afghan officials in the context of its overall dialog and policy of promoting human rights.

In October 2001, the Secretary of State identified the Taliban as a particularly severe violator of religious freedom.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 251,738 square miles and its population is approximately 26.8 million, according to UN agencies. Reliable data on the country's religious demography is not available; a census has not been taken in decades. However, observers estimate that 84 percent of the population is Sunni Muslim; approximately 15 percent is Shi'a Muslim; and other religions, including Sikhs, Hindus, and Jews make up less than 1 percent of the population. There also is a small, extremely low-profile Christian community, in addition to small numbers of adherents of other religions. The number of adherents to strains of conservative Islam is growing.

Traditionally, Sunni Islam of the Hanafi school of jurisprudence has been the dominant religion. The Taliban also adhered to the Hanafi school of Sunni Islam, making it the dominant religion in the country for most of 2001. For the last 200 years, Sunnis often have looked to the example of the Deoband madrassah (religious school) near Delhi, India. Most of the Taliban leadership attended Deobandi-influenced seminaries in Pakistan. The Deoband school has long sought to purify Islam by discarding supposedly un-Islamic accretions to the faith and reemphasizing the models established in the Koran and the customary practices of the Prophet Mohammed. Additionally, Deobandi scholars often have opposed what they perceive as Western influences. Much of the population adheres to Deobandi-influenced Hanafi Sunnism, but a sizable minority adheres to a more mystical version of Sunnism generally known as Sufism. Sufism centers on orders or brotherhoods that follow charismatic religious leaders.

Until October 7, a rival regime, the Islamic State of Afghanistan (generally known as the Northern Alliance or United Front), which nominally is headed by former Afghanistan President Burhanuddin Rabbani, an ethnic Tajik, controlled about 10 percent of the country. Rabbani and his former chief military commander, Ahmed Shah Masood, for most of 2001, controlled the majority Tajik areas in the country's extreme northeast. Other members of the Northern Alliance include ethnic Hazara, Uzbeks, Turkmen, and other smaller groups. Some other smaller ethnic groups are Shi'a Muslims. Within the respective factions, there are economic, political, and military advantages to belonging to the dominant faith or ethnic group in a given faction. Conversely, members of a different faith may encounter disadvantages if they seek full membership in a particular faction. The Taliban brought several prominent Shi'a commanders into its organization in an effort to counter the perception that it was an exclusively Sunni Pashtun movement. The Northern Alliance included several Pashtuns in prominent roles, although its supporters largely came from the non-Pashtun minorities.

In the past, small communities of Hindus, Sikhs, Jews, and Christians lived in the country; however, most members of these communities have left. Even at their peak, these non-Muslim minorities constituted less than 1 percent of the population. Most of the country's small Hindu and Sikh population, which once numbered about 50,000 persons, emigrated or took refuge abroad during the many years of conflict. However, recently some minorities have begun to return. Non-Muslims such as Hindus and Sikhs are now estimated to number only in the hundreds.

Several areas of the country are religiously homogeneous. Sunni Muslim Pashtuns, centered around the city of Kandahar, dominate the south and east of the country. The homeland of the Shi'a Hazaras is in the Hazarajat or the mountainous central highlands around Bamiyan. Badakshan province, in the extreme northeast of the country, traditionally had an Ismaili population. Other areas, including Kabul, the capital, are more heterogeneous. For example, in and around the northern city of Mazar-i-Sharif, there is a mix of Sunnis (including Pashtuns, Turkmen, Uzbeks, and Tajiks) and Shi'a (including Hazaras, Qizilbash, and Ismailis).

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

During the period covered by this report, there was no nationally recognized constitution and no legal provision for the protection of religious freedom. Under the Taliban religious freedom was restricted severely. After the collapse of the Taliban in late 2001, there continued to be some limits on religious freedom. Due to the absence of a constitution and the two decades of civil war, religious freedom was determined primarily by the unofficial, unwritten, and evolving policies of the warring factions. Before the fall of the Taliban, in most parts of the country the Taliban vigorously enforced its interpretation of Islamic law. The Taliban claimed in mid-1999 that it was drafting a new constitution, based upon the sources of Islamic religious law (Shari'a), the Koran, the Sunna, and Hanafi jurisprudence. Such a constitution was not promulgated before the fall of the Taliban. Custom and law required affiliation with some religion, and atheism is considered apostasy. Under the Taliban, apostasy was punishable by death. Proselytizing is viewed as contrary to the beliefs of Islam; however, there were no laws forbidding proselytizing.

Since the fall of the Taliban in 2001, the country has relied upon the Bonn Agreement and the 1964 Constitution. Though the 1964 Constitution proclaims that Islam is the "sacred religion," it does not prohibit the practice of other religions. The constitutional commission mandated by the Bonn agreement is to draft a new constitution during 2002, and the new constitution is to provide for religious freedom. By the end of the period covered by this report, a new constitution had not been drafted.

Under the Taliban, the country's official name was the Islamic Emirate of Afghanistan; however, according to the Northern Alliance, the umbrella organization of various smaller anti-Taliban groups, it was the Islamic State of Afghanistan. These names reflected the desire of both factions to promote Islam as the state religion. The June 2002 Loya Jirga declared that the official name of the government was the "Islamic Transitional Government of Afghanistan." The country itself is simply referred to as "Afghanistan."

The parts of the country's educational system that survived more than 20 years of war placed considerable emphasis on religion. According to international news reports in May 2001, the Taliban issued an edict requiring all students, including those in private schools, to wear head coverings. The Taliban reportedly ordered education centers to expel any student without a head covering or face the risk of closure by the religious police. However, since the fall of the Taliban, public school curricula have included religious subjects, but detailed religious study is conducted under the guidance of religious leaders. There is no restriction on parental religious teaching.

When the Taliban took Kabul in September 1996, it immediately issued pronouncements forbidding girls to go to school. According to a United Nations survey, at that time, more than 100,000 girls reportedly attended public school in Kabul from grades kindergarten to 12. From 1996 until its collapse the Taliban eliminated most of the opportunities for girls' education that existed in areas that the Taliban controlled; however, some girls' schools still operated in rural areas and small towns. The Taliban decreed that women were not allowed to attend the country's formerly coeducational universities, and one women's university, the Kabul branch of the Peshawar-based Afghan University, was closed by the Taliban in 1996. The ban on women working outside of the home reportedly also has hampered the education of boys, since 70 percent of the country's teachers were women before the Taliban took over most of the country. The new government has not repealed specific Taliban laws, considering instead that the entire Taliban system has been declared null and void.

The ITGA has proclaimed no official religious holidays.

The Government has undertaken interfaith efforts indirectly through the creation and empowerment of the Human Rights, Judicial, and Constitutional Commissions, all of which have the general aim of reconciliation at the national level.

*Restrictions on Religious Freedom*

Following the Emergency Loya Jirga in June 2002, the Minister for Women's Affairs was charged by the Chief Justice of the Supreme Court with "blasphemy," for having taken a prominent and vocal role as Deputy Chair of the Emergency Loya Jirga. This resulted from a political dispute between fundamentalist factions of Afghan society and modernist factions, symbolized by the Women's Minister, Dr. Sima Samar. The charges themselves emanated from the Chief Justice's interpretation of Shari'a law. The dispute was resolved politically through the personal intervention of President Karzai, and the charges were dropped. Dr. Samar is the Chair of the Human Rights Commission.

While some Taliban leaders claimed that the Taliban was tolerant of religious minorities, it reportedly imposed some restrictions upon Shi'a Muslims in Taliban-controlled territory. For example, the Taliban allegedly ordered Shi'a Muslims to confine their Ashura commemorations during the month of Muharram to their mosques and to avoid the public processions that are an integral part of Ashura in other countries with Shi'a populations. There also were unconfirmed reports that the Taliban occupied and "cleansed" Shi'a mosques for the use of Sunnis, including a Shi'a mosque in Mazar-i-Sharif in 1998.

Under the Taliban, conversion from Islam was considered apostasy and was punishable by death. There was no information available about converts, and no information available concerning restrictions on the training of clergy. Immigrants and non-citizens are free to practice their own religions. Since the fall of the Taliban, no political parties are banned or discouraged, other than the Taliban. Christian-based international relief organizations generally operate without interference.

Under the Taliban, prayer was mandatory for all, and those who were observed not praying at appointed times or who were late attending prayer were subject to punishment, including severe beatings. Friday noon prayers at mosques reportedly were compulsory for Muslim men. However, women and girls reportedly were forbidden to enter mosques and therefore had to pray at home. Before the fall of the Taliban, women were forbidden from participating in public life, including religious life, except in limited instances. Furthermore, the Taliban prohibited all doctors from treating female patients in the absence of a patient's husband, father, or brother. This decree, while not universally enforced, made treatment extremely difficult for Kabul's widows, many of whom had lost all their male family members.

On July 6, 2000, the Taliban issued an edict banning women's employment (except in the health care sector) in U.N. agencies and international NGO's. On August 16, 2000, the Taliban issued an order closing down the World Food Program's (WFP) 25 widows' bakeries. However, the Taliban reversed the edict the next day after the WFP stated that the female staff of the bakeries were not direct employees of the WFP and therefore not subject to the edict. In June 2001, the bakeries again were closed due to an impasse between the Taliban and the WFP over the WFP's attempt to hire women to conduct a beneficiary survey. A compromise was reached in which the Taliban permitted the WFP to hire women through the Ministry of Public Health and allowed the bakeries to reopen. Since the fall of the Taliban, there have been no such restrictions on women's movement or employment.

Under the Taliban, in public women were required to don a head-to-toe garment known as the burqa, which only has a mesh screen for vision. Most women in rural areas traditionally wore burqas; however, many urban women did not wear burqas before the Taliban imposed this practice. During the period covered by this report, the Taliban reportedly did ease some of the restrictions on women's dress. After the fall of the Taliban, women were no longer required to wear burqas, although many continue to choose to do so.

According to Taliban regulations, men's beards were required to protrude farther than would a fist clamped at the base of the chin. Men also needed to wear head coverings and could not have long hair. All students at Kabul University reportedly were required to have beards in order to study there. However, there have been no such restrictions on men's appearance since the fall of the Taliban.

In May 2001, according to news reports, the Taliban was considering an edict requiring Hindus to wear identifying badges on their clothing. On May 23, 2001, Taliban radio announced that the edict had been approved by religious officials; however, Mullah Omar reportedly did not sign the edict and the Taliban did not implement it before the regime fell. The Taliban stated that the intent of the proposed edict was to protect Hindu citizens from harassment by members of the religious police. However, international observers regarded the proposed edict as part of the Taliban's efforts to segregate and isolate non-Muslim citizens, and to encourage more Hindu migration. The reactions of Hindu citizens reportedly ranged from indifference to outrage.

*Abuses of Religious Freedom*

The Taliban reportedly had committed numerous human rights violations, particularly against the Hazaras. For example, in the recent past, the Taliban committed mass killings of the mainly Shi'a Hazaras particularly in the north. Although the conflict between the Hazaras and the Taliban was political and military as well as religious, and it is not possible to state with certainty that the Taliban engaged in its campaign of persecution against the Shi'a solely because of their religious beliefs, the religious affiliation of the Hazaras reportedly was a significant factor leading to their repression by the Taliban. In January 2001, several NGO's reported that the Taliban massacred several hundred Shi'a civilians in Yakaolang in the center of the country. The massacre reportedly occurred after the Taliban recaptured the area from opposition forces. According to witnesses interviewed by Human Rights Watch (HRW), after the Taliban recaptured the area, they rounded up victims from the surrounding villages, and shot or stabbed them with bayonets in the town center.

Although the conflict between the Pashtuns and other tribal sects was political and military as well as religious, it was not possible to state with certainty that ethnic tribes engaged in widespread violence solely because of their religious beliefs, although the religious affiliation of the Pashtuns apparently was a factor leading to their repression. In the period covered by this report, there were reports of widespread violence against ethnic Pashtuns, including extrajudicial killings, beatings, sexual violence, and destruction of property. This ongoing campaign of violence, according to HRW, has forced thousands of Pashtuns to leave their villages. These attacks are believed to be carried out in reprisal for perceived support given to the Taliban in the northern section of the country by local Pashtuns. The Taliban was dominated by Pashtuns from Kandahar and other southern provinces, and its forces were implicated in mass killings, destruction of homes, and other serious abuses against non-Pashtun communities in the north between 1997 and 2001.

The Taliban ruled strictly in areas that it controlled, establishing ad hoc and rudimentary judicial systems. The Taliban established Islamic courts to judge criminal cases and to resolve disputes. The courts reportedly dealt with all complaints, relying on the Taliban's interpretation of Islamic law and punishments as well as tribal customs. In cases involving murder and rape, convicted prisoners generally were ordered to be executed, although relatives of the victim could instead choose to accept another form of restitution. Decisions of the courts reportedly were final. Taliban courts imposed their extreme interpretation of Islamic law and punishments following swift summary trials. Murderers were subjected to public executions, which sometimes took place before crowds of up to 30,000 persons at Kabul Stadium. Executions sometimes were carried out by throat slitting, a punishment that, at times, was inflicted by the victims' families. Thieves were subjected to public amputations of either one hand or one foot, or both. The U.N. Special Rapporteur for Torture noted particular concern about the use of amputation as a form of punishment by Taliban authorities. Adulterers were stoned to death or publicly whipped with 100 lashes. According to HRW in 1999, several men who were found guilty of homosexual acts were crushed by having walls toppled over them by a tank; one man who survived the ordeal after being left under the rubble for two hours reportedly was allowed to go free. There were no reports that homosexuals were punished in such a manner during the period covered by this report.

The Taliban sought to impose its extreme interpretation of Islamic observance in any many areas as it could and declared that all Muslims in areas under its control had to abide by the Taliban's interpretation of Islamic law. The Taliban announced its proclamations and edicts through broadcasts on the Taliban's "Radio Shariat," and relied on a religious police force under the control of the Ministry for the Promotion of Virtue and the Prevention of Vice to enforce rules regarding appearance, dress, employment, access to medical care, behavior, religious practice, and freedom of expression. Members of the religious police, which was raised to the status of a Ministry in May 1998, were regularly supposed to check persons on the street in order to ascertain that individuals were conforming to such Taliban edicts. Persons found to be in violation of the edicts were subject to punishment meted out on the spot, which included beatings, detention, or both. In practice, the rigid policies adopted both by the Taliban and by certain opposition groups affected adversely adherents of other forms of Islam and of other faiths. Enforcement of Taliban social strictures was erratic; Taliban edicts generally were enforced in cities, especially in Kabul, and were enforced less consistently in rural areas, where more was left to local custom.

The Taliban's extreme interpretation and implementation of Shari'a (Islamic law) had a particularly harmful effect on women. In Kabul and elsewhere, women found in public who were not wearing a burqa, or whose burqas did not cover their ankles

properly, frequently were beaten by members of the religious police. Some poor women could not afford the cost of a burqa, and thus were forced to remain at home or risk beatings if they went out without one. Some women who could not afford to buy burqas were unable to access necessary medical care. In a 1998 survey, Physicians for Human Rights (PHR) found that 22 percent of the female respondents surveyed reported being detained and abused by the Taliban; of these incidents, 72 percent were related to alleged infractions of the Taliban's dress code for women. Most of these incidents reportedly resulted in detentions that lasted 1 hour or less, but 84 percent also resulted in public beatings, and 2 percent resulted in torture. Sixty-eight percent of those surveyed reported that they had reduced their public activities drastically during 1998 in Kabul.

Due to religious interpretation imposed by the Taliban, women were expected to leave their homes only while escorted by a male relative, further curtailing the appearance and movement of women in public even while wearing approved clothing. Women who appeared in public without a male relative risked being beaten by members of the religious police. Women were not allowed to drive, and taxi drivers reportedly were beaten if they took unescorted women as passengers.

When the Taliban captured Kabul in 1996, it immediately issued pronouncements forbidding women to work, including female doctors and nurses in hospitals. In a few cases, the Taliban had allowed women to work in health care occupations under restricted circumstances. Amnesty International reported that thousands of women around the country were laid off in April 2000. The prohibition on women working outside of the home was especially difficult for the large numbers of widows left by over 20 years of civil war; there were an estimated 30,000 widows in Kabul alone. Many women reportedly were reduced to selling all of their possessions and to begging to feed their families. Taliban gender restrictions also interfered with the delivery of humanitarian assistance to women and girls. Male relatives were required to obtain the permission of the religious police for female home-based employment.

Restrictions on women's employment also affected women working in international NGO's. In June 2001, the religious police arrested four female employees of the World Food Program because they were not accompanied by a male family member. The women were released after spending 2 nights in jail. Also in June 2001, an Italian-funded hospital in Kabul was forced to close temporarily to protect female staff from local religious police.

While most citizens lacked any access to adequate medical facilities, such access was made even more restrictive for women under the religious strictures imposed by Taliban rule.

The Taliban's religiously-based restrictions on medical treatment by male health professionals had a detrimental effect on children. According to PHR, children sometimes were denied medical care when the authorities did not let male doctors visit children's wards, which might be located within the women's ward of a hospital, or did not allow male doctors to see children who were accompanied only by their mothers.

In March 2001, the Taliban destroyed two giant pre-Islamic Buddha statues carved into cliffs in Bamiyan province, on the grounds that statues are idolatrous and insulting to Islam. The Taliban destroyed the 2,000-year-old statues despite appeals from the United Nations, international NGO's, and the world community, including many Muslim countries.

No information was available on the number of religious detainees or prisoners.

The Northern Alliance controlled much less territory than the Taliban and therefore affected a smaller percentage of the population. However, some groups within the Northern Alliance also were dedicated to enforcing strict adherence to Shari'a law. In past years, some members of the Northern Alliance were responsible for atrocities against Taliban forces during the war for control of the country.

The Ismaili community fought for the Northern Alliance against the Taliban and suffered when the Taliban occupied territories once held by Ismaili forces.

Under the Taliban, conversion from Islam was considered apostasy and punishable by death. According to a Taliban decree issued in June 2001, proselytizing by non-Muslims was prohibited, and was punishable by death or deportation in the case of foreigners. Taliban officials subsequently stated that the decree only was a guideline. A small number of foreign Christian groups were allowed in the country to provide humanitarian assistance; however, they were forbidden by the Taliban to proselytize. On August 3, 2001 Dayna Curry and Heather Mercer were arrested by the Taliban along with 22 others for their work with Shelter Now, a Christian aid organization based in Germany. The Taliban also seized Bibles and videos and audio tapes from the members of the group. The workers were tried for violating the Taliban prohibition against proselytizing. On November 15, 2001 Dayna Curry and Heather Mercer were freed by Operation Enduring Freedom forces, after the

Taliban had fled Kabul. In the period covered by this report, there was no information available about converts from Islam, and no information available concerning restrictions on the training of clergy.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

*Improvements and Positive Developments in Respect for Religious Freedom*

The fall of the Taliban and the subsequent establishment of the AIA and the ITGA resulted in a major improvement in religious freedom. Sikh and Hindu representatives at the Emergency Loya Jirga in June 2002 reported that they no longer were repressed and felt free to practice their religions. Taliban policies and laws have been replaced by the Bonn Agreement and the 1964 Constitution, and work on new laws and regulations under the Judicial and Constitutional Agreements mandated by the Bonn Agreement was to begin in 2002. The newly created Human Rights Commission is to address problems of bringing to justice those responsible for past abuses. The Government has stressed reconciliation and cooperation among all citizens during its existence both as an Interim and then as a Transitional Authority. Although the Government primarily is concerned with ethnic reconciliation, it also is concerned about religious tolerance. The AIA and ATA responded positively to all international approaches on human rights, including religious freedom. During the period covered by this report, the AIA had one Shi'a Hazara Vice President and four Shia Hazara ministers in the cabinet. In addition, within the current ITGA structure, Vice-President Khalili, Habiba Sarabi, Minister for Women's Affairs, and Dr. Sima Samar, the Chair of the Human Rights Commission are all Shi'a Hazara.

### SECTION III. SOCIETAL ATTITUDES

Relations between the different branches of Islam in the country have been difficult. Historically, the minority Shi'a faced discrimination from the majority Sunni population. Most Shi'a Muslims are members of the Hazara ethnic group, which traditionally has been segregated from the rest of society for a combination of political, ethnic, and religious reasons. Throughout the country's history, there have been many examples of conflicts between the Hazaras and other citizens. These conflicts often have had economic and political roots but also have acquired religious dimensions.

### SECTION IV. U.S. GOVERNMENT POLICY

Until December 2001, the U.S. Government did not maintain an official presence in the country. This lack of diplomatic representation limited the U.S. Government's ability to take action to promote religious freedom. However, since October 2001, the U.S. government has discussed religious freedom issues with Afghan officials in the context of its overall dialog and policy of promoting human rights.

Since October 2001, the U.S. and international coalition forces have worked with Afghan opposition representatives to create the Bonn Agreement in December 2001 and thereby the Afghan Interim Authority. The U.S. has worked with the AIA and the subsequent ITGA in the months since to promote human rights and religious and ethnic tolerance, from the inclusion of minority groups in the Government and military to assistance in the reconstruction of the country and its legal and political processes. Embassy representatives meet daily with ITGA officials, and routinely with religious and minority figures, in an ongoing dialog regarding the political, legal, religious, and human rights context of the country's reconstruction.

## BANGLADESH

The Constitution establishes Islam as the state religion but also provides for the right—subject to law, public order, and morality—to practice the religion of one's choice, and the Government generally respects this provision in practice. However, although the Government is secular, religion exerts a powerful influence on politics, and the Government is sensitive to the Muslim consciousness of the majority of its citizens.

There was no change in the status of respect for religious freedom during the period covered by this report. Citizens generally are free to practice the religion of their choice; however, police, who generally are ineffective in upholding law and

order, often are slow to assist members of religious minorities who have been victims of crimes. An increase in crime and violence in the first few months after the October 2001 elections has exacerbated this situation and increased public perceptions of the vulnerability of religious minorities at large.

The generally amicable relationship among religions in society contributed to religious freedom; however, the number of Hindu, Christian, and Buddhist minorities who perceive discrimination from the Muslim majority has increased.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 53,000 square miles, and its population is approximately 130 million. Sunni Muslims constitute 88 percent of the population. Approximately 10 percent of the population are Hindu. The remainder of the population mainly are Christian (mostly Catholic) and Buddhist. Members of these faiths are found predominantly in the tribal (non-Bengali) populations of the Chittagong Hill Tracts, although many other indigenous groups in various parts of the country are Christian as well. There also are small populations of Shi'a Muslims, Sikhs, Baha'is, animists, and Ahmadis. Estimates of their populations vary widely, from a few hundred up to 100,000 adherents for each faith. Religion is an important part of community identity for citizens, including those who do not participate actively in religious prayers or services; atheism is extremely rare.

There are no reliable estimates of the number of missionaries active in the country.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution establishes Islam as the state religion but provides for the right—subject to law, public order, and morality—to practice the religion of one's choice, and the Government generally respects this provision in practice; however, the number of Hindus, Christians, and Buddhists who perceive discrimination from the Muslim majority has increased.

Religious organizations are not required to register with the Government; however, all nongovernmental organizations (NGO's), including religious organizations, are required to register with the NGO Affairs Bureau if they receive foreign financial assistance for social development projects. The Government has the authority to cancel the registration of an NGO or to take other action against it; however, it rarely has used these powers, and they have not affected NGO's having religious affiliations.

Family laws concerning marriage, divorce, and adoption differ slightly depending on the religion of the person involved. There are no legal restrictions on marriage between members of different faiths.

Religion exerts a powerful influence on politics, and the Government is sensitive to the Muslim consciousness of the majority of its citizens. Religion is taught in government schools, and parents have the right to have their children taught in their own religion; however, some claim that many Government-employed religious teachers of minority religions are neither members of the religion they are teaching nor qualified to teach it. Although transportation may not always be available for children to attend religion classes away from school, in practice schools with few religious minority students often work out arrangements with local churches or temples, which then direct religious studies outside school hours. The country celebrates holy days from the Muslim, Hindu, Buddhist, and Christian faiths as national holidays.

##### *Restrictions on Religious Freedom*

In April 2001, the Director General of the Islamic Foundation, a government organization dedicated to promoting Islamic culture and studies, forced Maulana Obaidul Haque, Khatib (chief clergyman) of the Baitul Mukarram National Mosque, to retire. The Director General appointed a new Khatib, but after filed a writ petition to protest his forced retirement, the court stayed the decision. A newly appointed Director General of the Islamic Foundation has come to an understanding with Haque, who withdrew his court case in late 2001; the retirement order also was withdrawn, and Haque remains Khatib of the National Mosque.

In January 2001, the High Court ruled illegal all fatwas, or expert opinions on Islamic law. Fatwas can include the decision as to when a holiday is to begin based upon the sighting of the moon, or an opinion on a religious issue. Fatwas also commonly deal with marriage and divorce, or mete out punishments for perceived moral

transgressions. Islam dictates that only those Muftis (religious scholars) who have expertise in Islamic law are authorized to declare a fatwa. However, in practice village religious leaders sometimes make declarations in individual cases, calling the declaration a fatwa. Sometimes this results in extrajudicial punishments, often against women for their perceived moral transgressions. While the court's intention was to end the extrajudicial enforcement of fatwas or other declarations by religious leaders, the ruling declared all fatwas illegal, and resulted in violent public protests (see Section III). Several weeks later, the Appellate Court stayed the High Court's ruling.

Foreign missionaries may work in the country; however, local authorities and communities often object to efforts to convert persons from Islam to other religions. Foreign missionaries often face delays of several months in obtaining or renewing visas. In the past, some missionaries who were perceived to be converting Muslims to other faiths subsequently were unable to renew their visas, which must be renewed annually. In mid-2001 the Department of Immigration and Passports began to issue regularly a new visa category for foreign missionaries working in the country. The processing of the new visas apparently created complications initially; however, there were no recent reports of any current problems with receiving these visas.

There are no financial penalties imposed on the basis of religious beliefs; however, religious minorities are disadvantaged in practice in such areas as access to jobs in government or the military, and in political office. The Government has appointed some Hindus to senior civil service positions, and some recent promotion lists from the Ministry of the Establishment included from 3 to 7 percent Hindus and other minorities. However, religious minorities remain underrepresented in government jobs, especially at the higher levels of the civil and foreign services. The government-owned Bangladesh Bank employs approximately 10 percent non-Muslims in its upper ranks. Hindus dominate the teaching profession, particularly at the high school and university levels. Some Hindus report that Muslims tend to favor Hindus in some professions, for example, doctors, lawyers, and accountants. They attribute this to the education that the British offered during the 19th century, which Muslims boycotted but Hindus embraced. Employees are not required to disclose their religion, but religion generally can be determined by a person's name.

Many Hindus have been unable to recover landholdings lost because of discrimination in the application of the law, especially under the now-defunct Vested Property Act. The Act was a Pakistan-era law that allowed "enemy" (in practice Hindu) lands to be expropriated by the Government. Approximately 2.5 million acres of land were seized from Hindus, and almost all of the 10 million Hindus in the country were affected. Property ownership, particularly among Hindus, has been a contentious issue since partition in 1947. However, in April 2001, Parliament passed the Vested Property Return Bill. This law stipulated that land remaining under government control that was seized under the Vested Property Act be returned to its original owners, provided that the original owners or their heirs remain resident citizens. Hindus who fled to India and resettled there are not eligible to have their land returned, and the Act does not provide for compensation for or return of properties that the Government has sold. By law, the Government was required to publish a list of vested property holdings by October 11, 2001; however, by it had not published the list in the official Gazette by the end of the period covered by this report. In early 2002, the Ministry of Land forwarded a proposal to amend Section 9 of the law to extend the time for Gazette notification. The Government has not taken any further action regarding the law.

Under the 1961 Muslim Family Ordinance, female heirs inherit less than male relatives do, and wives have fewer divorce rights than husbands. Men are permitted to have up to four wives, although society strongly discourages polygamy and it rarely is practiced. Laws provide some protection for women against arbitrary divorce and the taking of additional wives by husbands without the first wife's consent, but the protections generally apply only to registered marriages. Marriages in rural areas sometimes are not registered because of ignorance of the law. Under the law, a Muslim husband is required to pay his ex-wife alimony for 3 months, but this not always is enforced.

#### *Abuses of Religious Freedom*

Local gang leaders sometimes attack religious minorities, perceiving them to be weak and vulnerable. The law and order situation has deteriorated after the October 2001 national elections, and reports from the media, the main opposition party, and some NGOs have alleged that religious minorities have been targeted for attacks. In December 2001, Amnesty International issued a report claiming that Hindus and other religious minorities were attacked since the general election, allegedly

by supporters of the Bangladesh Nationalist Party (BNP) led coalition, and the Government had done little to investigate these reports. However, many such reports have not been verified independently. The BNP acknowledged reports of atrocities committed between Muslims and Hindus during the period covered by this report; however, the BNP claimed that they were exaggerated. The Home Minister was unable to confirm reports that Hindus had fled the country and insisted that there was no link between religion and the violence. He also dismissed allegations that the BNP was linked to the perpetrators. The Government decided to set up a special Secretaries' committee to investigate the harassment of Hindus.

On November 16, 2001, Principal Gopal Krishna Muhuri of Nazirhat College in Chittagong was killed by unidentified assailants. Following the killing, Hindus staged a violent demonstration, protesting that Muhuri was killed because he was a Hindu. Muhuri's family stated that he was unpopular with the Jammati-Islami party as he refused it and other political parties access to the college's campus. It is unclear whether the killing was connected to the attacks against Hindus after the October 2001 elections. Two professors at the same college were arrested in connection with the killing and since have been released on bail. In July 2002 the police also arrested three known criminals for involvement in the killing. On April 22, 2002, a monk, Ganojyoti Mohasthobir, was killed at a Buddhist temple and orphanage at Rauzan in Chittagong. According to media reports, his killing was related to a land dispute. Home Minister Altaf Hossain Chowdhury and Foreign Minister Morshed Khan visited the temple after the killing. On April 28, 2002, Madan Gopal, a Hindu priest, was stabbed to death by a criminal gang at Radha Madan Asram in Khagrachhari. The criminals also looted gold statues from the temple. Newspaper reports quoted temple authorities as saying that the killing of the priest was a result of the assailants' failed attempt at extortion. On May 12, 2002, 12 unidentified persons broke the lock and opened the main gate of Dabua Benubon Bihar Buddhist Monastery at Beltoli before inmates and local residents chased them away. Using a compilation of newspaper reports, Ain-O-Shalish Kendra (The Law and Arbitration Center), a human rights NGO, filed a writ petition with the High Court asking that the Government be ordered to investigate the incidents reported in the newspapers and to submit its findings to the court. The Government reportedly has completed its investigations, but has yet to submit its report.

In June 2001, in Baniachar, Gopalganj district, a bomb exploded inside a Catholic church during Sunday Mass, killing 10 persons and injuring 20 others. The army arrived to investigate approximately 10 hours after the blast. The bomb, which the army concluded was produced outside of the country, had been placed just inside a side door in a jute bag. Police detained various persons for questioning, but by the end of the period covered by this report, the police reported no progress on the case. However, a judicial commission was formed in December 2001 to investigate the Baniachar bombing. This commission is comprised of three members, including a retired Supreme Court justice and two high ranking government officials. The commission's report on the bombing had not been released by the end of the period covered by this report. However, in prior years, the Government sometimes has failed to criticize, investigate, and prosecute the perpetrators of attacks on members of religious minorities.

The latest book by Taslima Nasrean, a feminist author who has received death threats and had a bounty issued for her death, was banned in 1999. She remained abroad during the period covered by this report, after receiving bail, while criminal and civil cases against her for insulting religious beliefs remained pending. There were no new developments in these cases during the period covered by this report.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations between the religious communities generally are amicable. Persons who practice different religions often join each other's festivals and celebrations, such as weddings. Shi'a Muslims practice their faith without interference from Sunnis. Nevertheless, clashes between religious groups occasionally occur. In recent years, there have been cases of violence directed against religious minority communities that have resulted in the loss of lives and property. Police, who generally are ineffective in upholding law and order, often are slow to assist in such cases, thereby perpetuating an atmosphere of impunity for acts of violence (see Section II). In the past,

intercommunal violence caused many Hindus to emigrate to India, but recent emigration of Hindus has decreased significantly and generally can be attributed to economic or family reasons. Nevertheless, incidents of communal violence continue to occur.

Newspapers reported attacks on Hindu homes and rapes of Hindu women at several places in the country soon after the October 2001 election. According to a human rights organization, at least 10 Hindu women were raped and a number of Hindu homes were looted by low-level BNP workers a few days before the BNP took power from the non-partisan caretaker government that supervised the election. Some incidents of rape and looting also took place in the southwestern district of Bagerhat. The situation improved after the new government members visited the areas and deployed additional police to troubled locations.

On October 6, 2000, in Gazipur, two boys and one woman were injured in an altercation between Hindus and Muslims. Muslims conducting Friday prayers asked Hindus to lower the music volume at a nearby Hindu festival. When the Hindus refused, Muslims from the mosque damaged a Hindu deity, leading to the violence and injuries. This altercation was resolved through dialog between community leaders. On October 8, 2000, in Dinajpur, four Muslims set fire to a Hindu temple over a land dispute with the Hindu temple's manager.

In the past, members of the Ahmadi sect, whom many mainstream Muslims consider heretical, were the target of attacks and harassment. In 1999 several mosques belonging to the sect were attacked. In October 1999, a bomb killed six Ahmadis who were attending Friday prayers at their mosque in Khulna. The only suspect questioned by police was a fellow Ahmadi who later was released. No other suspects have been questioned, and the case remains unresolved. In November 1999, Sunni Muslims ransacked an Ahmadi mosque near Natore, in the western part of the country. In subsequent clashes between Ahmadis and Sunnis, 35 persons were injured.

Ahmadis regained control of their mosque and filed a criminal case against 30 persons allegedly responsible for the conflict. That case remains pending. After a January 1999 attack on an Ahmadi mosque in Kushtia, two police officials were disciplined for failing to discharge their duties in controlling the incident. Ahmadi leaders report that their mosque remains under the control of local police, and that Ahmadis have been unable to worship since the January 1999 attack. As of the end of the period covered by this report, Ahmadis remained unable to worship at the mosque in Kushtia.

Public reaction to the High Court's January 2001 ruling that declared fatwas to be illegal resulted in violence. Following the court's decision, a number of NGO's organized a rally in Dhaka and transported busloads of persons, mostly women, from all parts of the country to express support for the ruling, which they said was a victory for women and for all who suffered abuses in the name of fatwa. However, Muslim groups contended that fatwa was an integral part of a Muslim's daily life and called the ruling an attack on their religious freedom. Islamic groups organized blockades to prevent buses from entering Dhaka for the rally, and protested the ruling and the NGO rally. In the ensuing violence, a police officer was killed inside a mosque, and an NGO office was ransacked.

Some members of the Hindu, Christian, and Buddhist minorities continue to perceive and experience discrimination from the Muslim majority.

The law permits citizens to proselytize; however, local authorities and communities often object to efforts to convert persons from Islam to other religions. Moreover, strong social resistance to conversion from Islam means that most missionary efforts by Christian groups are aimed at serving communities that have been Christian for several generations or longer.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy maintains a dialog with government, religious, and minority community representatives to promote religious freedom and to discuss problems. On an informal basis, the Embassy also has assisted some U.S. Christian-affiliated relief organizations in guiding paperwork for schools and other projects through government channels. The Government has been receptive to discussion of such subjects and generally helpful in resolving problems. The Embassy is encouraging the Government through the Ministry for Religious Affairs to develop and expand its training program for Islamic religious leaders, which provides course work for religious leaders on human rights, HIV/AIDS, and gender equality issues.

## BHUTAN

The law provides for freedom of religion; however, the Government limits this right in practice. The Drukpa discipline of the Kagyupa school, a branch of Mahayana Buddhism, is the state religion.

There was no change in the status of respect for religious freedom during the period covered by this report.

Societal pressure for conformity with Drukpa Kagyupa norms is prevalent.

There are no formal diplomatic relations between the United States and Bhutan; however, the U.S. Government discusses religious freedom issues with the Government informally in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 18,146 square miles. Population figures vary greatly and estimates range from 600,000 to 2 million. Dissidents living outside of the country contend that the Government underreports the number of ethnic Nepalese in the country. Approximately two-thirds to three-fourths of the declared population practice either Drukpa Kagyupa or Ningmapa Buddhism. The Drukpa discipline is practiced predominantly in the western and central parts of the country, although there are adherents in other parts of the country. The inhabitants of the western and central parts of the country mainly, but not exclusively, are ethnic Ngalops, the descendants of Tibetan immigrants who predominate in government and the civil service and whose cultural norms and dress have been declared by the monarchy to be the standard for all citizens.

The Ningmapa school of Mahayana Buddhism is practiced predominantly in the eastern part of the country, although there are adherents in other parts of the country, including the royal family. Most of those living in the east are ethnic Sharchops, the descendants of those thought to be the country's original inhabitants. Several Sharchops hold high positions in the Government, the National Assembly, and the court system.

There is a tradition of respect among many citizens for the teachings of an animist and shamanistic faith called Bon. The arrival of this faith to the country predates that of Buddhism. Bon priests still can be found in the country, but it is unclear how many citizens adhere to this faith. Bon rituals sometimes are included in the observance of Buddhist festivals.

Christians, both Catholics and Protestants, are present in small numbers throughout the country. There is only one Christian church building in the country, in the south, where the only concentration of Christians sufficiently large to sustain a church building is located. Elsewhere families and individuals practice their religion at home.

Approximately one-fourth to one-third of the population, ethnic Nepalese who live mainly in the south, practice Hinduism. The Shaivite, Vaishnavite, Shakta, Ghanapath, Pauranic, and Vedic schools are represented among Hindus.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The law provides for freedom of religion; however the Government limits this right in practice. Proselytization is illegal, and dissidents living outside the country claim that the Government prohibits conversions. Dissidents also contend that Buddhist texts are the only printed religious materials permitted to enter the country. The Government vehemently denies both dissident claims, and asserts that any citizen is free to practice openly any religion.

The Government subsidizes monasteries and shrines of the Drukpa discipline and provides aid to approximately one-third of the Kingdom's 12,000 monks. By statute 10 seats in the 150-seat National Assembly, and 2 seats on the 11-member Royal Advisory Council, are reserved for monks of the Drukpa discipline.

Religious communities must secure government licenses before constructing new places of worship, but there were no reports to suggest that this process was not impartial. The Government provides financial assistance for the construction of Drukpa Kagyupa and Ningmapa Buddhist temples and shrines. Monks and monasteries of the Ningmapa school also receive some state funding. The Government provides some funding for the construction of new Hindu temples and centers of Sanskrit and Hindu learning and for the renovation of existing temples and places of learning. The Government also provides some scholarships for Sanskrit studies in Hindu universities in India.

According to dissidents living outside of the country, Buddhist religious teaching, of both the Drukpa Kagyupa and the Ningmapa disciplines, is permitted in schools. However, the teaching of other religious traditions is not. The Government contends that Buddhist teaching only is permitted in monastic schools, and that religious teaching of any kind is not permitted in other schools.

The King has declared major Hindu festivals to be national holidays, and the royal family participates in them.

#### *Restrictions on Religious Freedom*

Dissidents claim that the Government prohibits religious conversions. However, international Christian relief organizations and Jesuit priests are active in education and humanitarian activities.

Dissidents allege that the Government restricts the import of printed religious matter; only Buddhist religious texts are allowed to enter.

Certain civil servants, regardless of religion, are required to take an oath of allegiance to the King, the country, and the people. The oath does not have religious content, but a Buddhist lama administers it. Dissidents allege that applicants for Government services are asked their religion before services are rendered.

#### *Abuses of Religious Freedom*

There have been reports in the past that police have used unwarranted lethal force on peaceful demonstrations, resulting in the death of at least one monk. Monks also reportedly have been tortured while in prison.

Ethnic Nepalese in the country were subject to discrimination by the authorities in the late 1980s and early 1990s when many were driven from their homes and forcibly expelled from the country. The root causes of this official discrimination and the expulsions were cultural, economic, and political; however, to the degree that their Hinduism identified them as members of the ethnic Nepalese minority, religion was also a factor. The Government contends that many of those expelled in 1991 were illegal immigrants who had no right to citizenship or residency in the country. Some 98,000 ethnic Nepalese continue to live in refugee camps in eastern Nepal and are seeking to return to their homes in Bhutan. An estimated 15,000 more reside outside of the camps in the Indian states of Assam and West Bengal.

In March 2001, the long-negotiated Nepal-Bhutan joint verification team (JVT) began working on the first of the refugee camps to determine which refugees would be considered genuine Bhutanese citizens and eventually allowed to return home. The Government claims that the process has "verified" more than 12,000 persons as of December 2001; however, the JVT has announced no results and no timetable for doing so. No plans for repatriation of the verified Bhutanese citizens have been made public.

The Government also began a program of resettling Buddhist citizens from other parts of the country on land in the south vacated by the expelled ethnic Nepalese now living in refugee camps in Nepal. Human rights groups maintain that this action prejudices any eventual negotiated return of the refugees to the country. The Government maintains that this is not its first resettlement program and that citizens who are ethnic Nepalese from the south sometimes are resettled on land in other parts of the country. The motivation for this official discrimination appears to be economic and political; however, to the degree that the Hinduism of the ethnic Nepalese identifies them, religion is also a factor.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Governmental discrimination against ethnic Nepalese in the late 1980's and early 1990's arose in part from a desire to preserve the country's Buddhist culture from the growth of the ethnic Nepalese population, with its different cultural and religious traditions. That preoccupation on the part of the Government and many Buddhists still is present today. It is reflected in official and societal efforts to impose the dress and cultural norms of the Ngalop ethnic group on all citizens. While there are no known reports of the repetition of the excesses of the late 1980s and early 1990s, societal and governmental pressure for conformity with Drukpa Kagyupa norms is prevalent. The failure of the Government to permit the return of ethnic Nepalese refugees has tended to reinforce societal prejudices against this group, as has the Government's policy on forced retirement of refugee family members in gov-

ernment service and the resettlement of Buddhists on land vacated by expelled ethnic Nepalese in the south.

Some of the country's few Christians, mostly ethnic Nepalese living in the south, state that they are subject to harassment and discrimination by the Government, local authorities, and non-Christian citizens.

There have been some efforts at promoting interfaith understanding. There are regular exchanges between monks of the two schools of Buddhism represented in the country. The King's example of making Hindu festivals official holidays and observing them also has had a positive impact on citizens' attitudes.

#### SECTION IV. U.S. GOVERNMENT POLICY

There are no formal diplomatic relations between the United States and Bhutan. Informal contacts between the two governments ranging from the level of cabinet secretary to that of embassy officer occasionally take place. During these exchanges, governmental discrimination against the ethnic Nepalese minority has been discussed. The United States Ambassador to India discussed the refugee issue with the King and other senior members of the Government when he visited the country in April 2002.

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### INDIA

The Constitution provides for secular government and the protection of religious freedom, and the central Government generally respects these provisions in practice; however, it sometimes does not act effectively to counter societal attacks against religious minorities and attempts by state and local governments to limit religious freedom. This failure results in part from the legal constraints inherent in the country's federal structure, and in part from the law enforcement and justice systems, which at times are ineffective. The ineffective investigation and prosecution of attacks on religious minorities is interpreted by some extremist elements as a signal that such violence likely is to go unpunished.

There was no overall change in the status of religious freedom during the period covered by this report; however, there was significant Hindu-Muslim violence during the period covered by this report. The country is a secular state in which all faiths generally enjoy freedom of worship. Central government policy does not favor any religious group; however, governments at state and local levels only partially respect religious freedom. The central Government is led by a coalition called the National Democratic Alliance (NDA), which has pledged to respect the country's traditions of secular government and religious tolerance. However, the leading party in the coalition is the Bharatiya Janata Party (BJP), a Hindu nationalist party with links to Hindu extremist groups that have been implicated in violent acts against Christians and Muslims. The BJP also leads state governments in Goa, Gujarat, and Himachal Pradesh. Human rights groups and others have suggested that the authorities in Gujarat have not responded adequately to acts of violence against religious minorities by Hindu extremist groups, due at least in part to the links between these groups and the BJP. These groups have noted that the ineffective investigation and prosecution of such incidents may encourage violent actions by extremist groups.

Tensions between Muslims and Hindus, and between Hindus and Christians, continued during the period covered by this report. Attacks on religious minorities occurred in several states, which brought into question the Government's ability to prevent sectarian and religious violence. The worst religious violence during the period covered by this report was directed against Muslims by Hindus in Gujarat. It was alleged widely that the police and state government in Gujarat did little to stop the violence promptly, and at times even encouraged or assisted rioting mobs. Violence and discrimination against Muslims and Christians continued in other parts of the country as well.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 1.3 million square miles and a population of slightly more than one billion. According to the latest government estimates, Hindus constitute an estimated 81 percent of the population, Muslims 12 percent, Christians 2.3 percent, Sikhs 2.0 percent, and others, including Buddhists, Jains, Parsis (Zoroastrians), Jews, and Baha'is, less than 2 percent. Hinduism has a large number of branches, including the Sanatan and Arya Samaj groups. Slightly

more than 90 percent of Muslims are Sunni; the rest are Shi'a. Buddhists include followers of the Mahayana and Hinayana schools, and there are both Catholic and Protestant Christians. Tribal groups (members of indigenous groups historically outside the caste system), which in government statistics generally are included among Hindus, often practice traditional indigenous religions. Hindus and Muslims are spread throughout the country, although large Muslim populations are found in the states of Uttar Pradesh, Bihar, Maharashtra, West Bengal, Andhra Pradesh, and Kerala, and Muslims are a majority in Jammu and Kashmir. Christian concentrations are found in the northeastern states, as well as in the southern states of Kerala, Tamil Nadu, and Goa. Three small northeastern states have large Christian majorities—Nagaland, Mizoram, and Meghalaya. Sikhs are a majority in the state of Punjab.

Over the years, many lower caste Hindus, Dalits (formerly called “untouchables”—see Section II) and other non-Hindu tribal groups have converted to other faiths because they viewed conversion as a means to achieve higher social status. However, lower caste and Dalit converts continue to be viewed by both their coreligionists and by Hindus through the prism of caste. Converts are regarded widely as belonging to the caste of their ancestors, and caste identity, whether or not acknowledged by a person's own religion, has an impact on marriage prospects, social status, and economic opportunity.

There are a number of immigrants, primarily from Bangladesh, Sri Lanka, and Nepal, who practice various religions. Immigrants from Bangladesh usually reside near the border area.

According to the Catholic Bishop's Conference of India, there are approximately 1,100 registered foreign missionaries in the country (see Section II).

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the central Government generally respects this right in practice; however, state and local governments only partially respect this freedom. There are no registration requirements for religious groups. Legally mandated benefits are assigned to certain groups, including some groups defined by their religion. The Government is empowered to ban a religious organization if it has provoked intercommunity friction, has been involved in terrorism or sedition, or has violated the Foreign Contribution Regulation Act, which restricts funding from abroad.

The country's political system is federal in character, under which state governments have exclusive jurisdiction over law enforcement and maintaining order, which has limited the central Government's capacity to deal with abuses of religious freedom. The country's national law enforcement agency, the Central Bureau of Investigation (CBI), must receive a state government's permission before investigating a crime in that state. However, the federal government's law enforcement authorities, in some instances, authorities have stepped in to maintain order.

There are many religions and a large variety of denominations, groups, and subgroups in the country, but Hinduism is the dominant religion. Under the Constitution, the Buddhist, Jain, and Sikh faiths are considered different from the Hindu religion, but the Constitution often is interpreted as defining Hinduism to include those faiths. This interpretation has been a contentious issue, particularly for the Sikh community.

The legal system accommodates minority religions' personal status laws; there are different personal status laws for different religious communities. Religion-specific laws pertain in matters of marriage, divorce, adoption, and inheritance. For example, Muslim personal status law governs many noncriminal matters involving Muslims, including family law, inheritance, and divorce. Hindu groups such as the Rashtriya Swayamsewak Sangh (RSS) are pushing for a uniform civil code that would treat members of all religions alike.

The Government permits private religious schools, which can offer religious instruction, but does not permit religious instruction in government schools. Some Hindus believe that this disadvantages them since Muslims have many private religious schools (madrassahs), but Hindus mostly attend government or Christian schools. Many Christian schools minimize overt religious instruction to avoid retaliation from Hindu extremists.

Some Government officials continue to advocate “saffronizing,” or raising the profile of Hindu cultural norms and views in public education, which has prompted criticism from minority leaders, opposition politicians, academics, and advocates of secular values. During the period covered by this report, the Government announced its decision to rewrite existing National Council of Educational Research and Train-

ing (NCERT) history textbooks. The Government justified its decision by asserting that “history needs to be presented in a more refreshing and cogent manner.” In December 2001, the Human Resource Development Ministry made changes to chapters on Jainism in a textbook on ancient India without previously informing the author.

Some major religious holidays celebrated by various groups are considered national holidays, including Christmas (Christian), Eid (Muslim), Guru Nanak’s Birthday (Sikh), and Holi (Hindu).

The central Government is conscious of the perception that because of the composition of its support base it is less likely to respond to acts of violence against religious minorities by Hindu extremist groups. It has made efforts to show that it is addressing the concerns of religious minorities who believe that they are threatened.

The Government has taken steps to promote interfaith understanding. The National Commission for Minorities (NCM) and the National Human Rights Commission (NHRC) have appointed members and are tasked respectively with protecting the rights of minorities and protecting human rights. These governmental bodies investigate allegations of discrimination and bias and can make recommendations to the relevant local or central government authorities. These recommendations generally are followed, although the recommendations do not have the force of law.

#### *Restrictions on Religious Freedom*

The Unlawful Activities Prevention Act empowers the Government to ban a religious organization if it has provoked inter-community friction, has been involved in terrorism or sedition, or has violated the Foreign Contribution Regulations Act, which restricts funding from abroad. Human Rights activists have criticized the government for selectively applying the FCRA against religious minorities.

In September 2001, the Government officially banned the Students Islamic Movement of India (SIMI) under the Unlawful Activities Prevention Act. The Government alleged that the SIMI had links with terrorist groups such as the Lashkar-e-Tayyeba and the Hizbul Mujahideen.

On May 3, 2001, the Government officially banned Deendar Anjuman, a Muslim group, for “fomenting communal tension” and actions “prejudicial to India’s security.” State prosecutors alleged that some members of the tiny Muslim group called Deendar Channabasaveshwara Siddique (DCS) and its parent organization, Deendar Anjuman, were responsible for the Karnataka and Andhra Pradesh church bombings in 2000 (see Section III).

From July to August 2000, approximately 45 members of the organization were taken into custody in Karnataka and Andhra Pradesh in connection with the bombings. During this time in order to justify the ban, the Government claimed that Deendar Anjuman was involved in a complicated plot to destabilize the country’s communal relations; however, of the group’s few thousand members, probably only a few were involved in terrorist activities.

The fact that a Muslim group was responsible for the bombings of Christian churches was unusual; most attacks against Christians are perpetrated by Hindu extremist groups or by mobs. Some observers have compared the vigorous investigation and prosecution of Deendar members for attacks against Christians with the general lack of vigor in the investigation and prosecution of Hindus accused of carrying out attacks against Christians.

The Religious Institutions (Prevention of Misuse) Act makes it an offense to use any religious site for political purposes or to use temples for harboring persons accused or convicted of crimes. While specifically designed to deal with Sikh places of worship in Punjab, the law applies to all religious sites. The state of Uttar Pradesh passed the “Religious Buildings and Places Bill” during the state assembly budget session from March to May 2000. The bill requires a permit endorsed by the state government before construction of any religious building can begin in the state. The bill’s supporters stated that its aim was to curb the use of Muslim institutions by Islamic fundamentalist terrorist groups, but the measure remains a controversial political issue among religious groups in the northern part of the country. Most religious groups from all of the communities oppose the restriction on building religious structures and continue to view it as an infringement upon religious freedom. In West Bengal, legislation implemented in early 2000 requires any person who plans to construct a place of worship to seek permission from the district magistrate; anyone intending to convert a personal place of worship into a public one also requires the district magistrate’s permission.

The BJP, which has led two coalition national governments since 1998, is one of a number of offshoots of the Rashtriya Swayamsewak Sangh, an organization that espouses a return to Hindu values and cultural norms. Members of the BJP, the

RSS, and other affiliated organizations (collectively known as the Sangh Parivar) have been implicated in incidents of violence and discrimination against Christians and Muslims. The BJP and RSS express respect and tolerance for other religions; however, the RSS in particular opposes conversions from Hinduism and believes that all citizens should adhere to Hindu cultural values. The BJP officially states that the caste system should be eradicated, but many of its members are ambivalent about this. Most BJP leaders, including Prime Minister A.B. Vajpayee and Deputy Prime Minister L.K. Advani, also are RSS members. The BJP's traditional cultural agenda has included calls for construction of a new Hindu temple to replace an ancient Hindu temple that was believed to have stood on the site of a mosque in Ayodhya that was destroyed by a Hindu mob in 1992; for the repeal of Article 370 of the Constitution, which grants special rights to the state of Jammu and Kashmir, the country's only Muslim majority state; and for the enactment of a uniform civil code that would apply to members of all religions.

The BJP does not include the above RSS goals in the program of the coalition Government it leads; however, some minority religious groups have noted that the coming to power of the BJP coincided with an increase in complaints of discrimination against minority religious communities. These groups also claim that BJP officials at state and local levels increasingly have become unresponsive in investigating charges of religious discrimination and in prosecuting those persons responsible.

The degree to which the BJP's nationalist Hindu agenda has affected the country with respect to religious minorities varies depending on the region. State governments continue to attach a high priority to maintaining law and order and monitoring inter-community relations at the district level. As a result, the central Government often is not the most important player in determining the character of relationships of various religious communities between each other and with the state.

In general religious minorities in the northern area of the country are concerned that attacks on religious minorities no longer appear to be confined to Gujarat and Orissa. However, only a few isolated incidents of communal violence were reported in the north during the period covered by this report (see Section III). The appeal of Hindu nationalism seemed to decrease in Uttar Pradesh, where the BJP-led state government was defeated in elections in early 2002. The Government dispatched the NCM to investigate attacks against Christians in the northern part of the country in 2000, but the NCM's findings that the attacks were not "communal in nature" led to widespread criticism in the minority community. There is strong evidence that the NCM report misrepresented the victims by claiming that the victims entirely were satisfied that there was no religious motivation behind the violence. Victims of the incidents claim that the local police were not responsive either before or during the attacks. By the end of the period covered by this report, no arrests had been made or were likely to be made in connection with these attacks.

The eastern part of the country presented a varied picture with regard to religious freedom during the period covered by this report. Sporadic attacks continued but were not concentrated in one geographical area. In Orissa, which has been known for violence against religious minorities (particularly after the killings of Australian missionary Graham Staines and his two young children there in January 1999), the communal situation remained relatively unchanged during the period covered by this report, despite the installation of a BJP-Biju Janata Dal (BJD) government in February 2000. In November 2000, the Orissa government notified churches that religious conversions could not occur without the local police and district magistrate being notified in order to give permission; however, this does not appear to have been enforced. The Orissa Freedom of Religion Act of 1967 contains a provision requiring a monthly report from the state on the number of conversions; district officials are required to keep such records. After a conversion has been reported to the district magistrate, the report is forwarded to the authorities, and a local police officer conducts an inquiry. The police officer can recommend in favor of or against the intended conversion, and often is the sole arbitrator on the individual's right to freedom of religion; if conversion is judged to have occurred without permission from the district magistrate or with coercion, the authorities may take penal action. There were no reports that the district magistrate denied permission for any conversions.

The four southern states are ruled by political parties with strong secular and pro-minority views. Each of these parties—the All-India Anna Dravida Munnetra Kazhagam (AIADMK) in Tamil Nadu, the Telugu Desam Party (TDP) in Andhra Pradesh, and the Congress Party in Kerala and Karnataka—has a history of support for religious minorities and has attempted to assuage religious minority fears about religious tension in the rest of the country.

The southern branches of the BJP generally take a more moderate position on minority issues; however, religious groups in the region still allege that since the BJP's rise to power in the national Government, some local officials have begun to enforce laws selectively to the detriment of religious minorities. The groups cite numerous examples of discrimination, such as biased interpretations of postal regulations, including removal of postal subsidies; refusals to allocate land for the building of churches; and heightened scrutiny of NGO's to ensure that foreign contributions are made according to the law.

In the west, Gujarat continued to experience incidents of intercommunity strife in which Hindu nationalist groups targeted Christians and Muslims. Beginning in February 2002, after an attack by Muslims on a train in Godhra that resulted in the deaths of 58 Hindus (see Section III), an estimated 2,000 Muslims were killed in rioting in Gujarat that continued throughout the period of this report. The Gujarat state government and the police were criticized for failing to stop the violence, and in some cases participating in or encouraging it. Muslim women and girls were raped, and an estimated 850 to 2,000 Muslims were killed. The violence began on February 27 after a Muslim mob in the town of Godhra attacked and set fire to two train cars carrying Hindu activists. Fifty-eight persons were killed, most of them women and children. On February 28, Hindus attacked and looted Muslim homes, business, and places of worship. In addition, Muslim women and girls were raped and an estimated 2,000 Muslim persons were killed. NGO's report that police were implicated directly in nearly all the attacks against Muslims in Gujarat, and in some cases, NGO's contend, police officials encouraged the mob. Christian and Muslim communities remain suspicious of the state Government.

In Maharashtra, Hindu-Muslim violence has increased in recent years (see Section III). In Madhya Pradesh, intercommunity strife is relatively uncommon. In April 2001, the state's Chief Minister Digvijay Singh strongly stated that his government would deal equally strictly with any violence committed by either Hindu or Muslim fundamentalist groups. There were no incidents of intercommunity strife in the new state of Chhattisgarh during the period covered by this report. Religious communities generally live together harmoniously in Goa, despite one incident of intra-Christian strife during 2000 (see Section III).

Some persons alleged that the state of Gujarat discriminated in distributing aid to victims of the January 26, 2001 earthquake in Kutch district, which left more than 20,000 persons dead. In April 2001, a Human Rights Watch activist toured the affected region and claimed that in the distribution of relief supplies upper caste Hindus received better treatment than lower caste Hindus and poor Muslims in the worst affected towns of Bhuj, Bhachau, and Anjar. However, representatives of many NGO's working in the region reported that the Gujarat government's relief effort did not discriminate by caste or religion.

There is no national law that bars a citizen or foreigner from professing or propagating his or her religious beliefs; however, speaking publicly against other beliefs is considered dangerous to public order and is prohibited. Given this context, the Government discourages foreign missionaries from entering the country and has a policy of expelling foreigners who perform missionary work without the correct visa. Long-established foreign missionaries generally can renew their visas, but since the mid-1960's the Government has refused to admit new resident foreign missionaries.

New missionaries currently enter as tourists on short-term visas. In November 2000, the Home Ministry ordered a family of American Christian missionaries based in Tamil Nadu to leave the country because their business and tourist visas were incompatible with their work in the country. In addition to foreign missionaries, several Christian relief organizations have been hampered by bureaucratic obstacles in getting visas renewed for foreign relief work. Missionaries and foreign religious organizations must comply with the Foreign Contribution Regulation Act, which restricts the ability of certain NGO's, including religiously affiliated groups, to finance their activities with overseas assistance.

The personal status laws of the religious communities sometimes discriminate against women. Under Islamic law, a Muslim husband may divorce his wife spontaneously and unilaterally; there is no such provision for women. Islamic law also allows a man to have up to four wives but prohibits polyandry. Under the Indian Divorce Act of 1869, a Christian woman could demand divorce only in the case of spousal abuse and certain categories of adultery; for a Christian man, a wife's adultery alone was sufficient. However, during the period covered by this report this law was amended by Parliament to allow Christian women to file for divorce for the same reasons as men.

*Abuses of Religious Freedom*

While the central Government has not been implicated in abuses of religious freedom, human rights activists have criticized the Government for indifference and inaction in the face of abuses committed by state and local authorities, as well as private citizens.

In June 2000, the National Human Rights Commission (NHRC) ordered affected states to provide written reports detailing the violence against Christians and the actions taken by state governments. All of the states submitted reports to the NHRC, which found no organized pattern of anti-Christian activity. Some Christian leaders are unhappy with the NCM, which they believe does not represent of their views.

On occasion Hindu-Muslim violence led to killings and a cycle of retaliation (see Section III). In some instances, police and government officials abetted the violence, and at times security forces were responsible for abuses. Police sometimes assisted Hindu fundamentalists in committing violent acts. In February 2002, after a Hindu-Muslim clash in Gujarat, Muslims and human rights activists alleged that the state reserve police sided with the attackers rather than with the victims (see Section III). Human rights activists reported that the Gujarat police received specific instructions not to take action to prevent a possible violent reaction to the February 27 attack by Muslims on a train in Godhra carrying Hindus (see Section III). These observers asserted that Gujarat Chief Minister Narendra Modi personally told Ahmedabad police officials on February 27 to allow Hindus 2 days to react "peacefully" to the Godhra incident. The press and human rights activists have reported widely that police refused to come to the aid of Muslim victims, and in some cases even participated in attacks on Muslims and Muslim-owned businesses. The police reportedly told Muslim victims, "we don't have orders to help you." It was reported that assailants frequently chanted "the police are with us," according to eyewitness accounts. On March 24, a report that the government of Gujarat transferred police officials who allegedly had taken action against Hindu rioters drew further media and National Human Rights Commission criticism of perceived government partisanship. In its "final" report on Gujarat, released on June 1, the NHRC held the Gujarat government responsible for the riots and accused it of "a complicity that was tacit if not explicit." It concluded in its report that "there is no doubt, in the opinion of this Commission, that there was a comprehensive failure on the part of the state government to control the persistent violation of rights of life, liberty, equality, and dignity of the people of the state." The report recommended a CBI inquiry into the communal riots, which the state government subsequently refused to allow.

Jammu and Kashmir, the country's only Muslim majority state, has been the focus of repeated armed conflict between India and Pakistan, and internally between security forces and Muslim militants who demand that the state be given independence or ceded to Pakistan. Particularly since an organized insurgency erupted in Jammu and Kashmir in 1989, there have been numerous reports of human rights abuses by security forces and local officials against the Muslim population, including execution-style killings, beatings, rapes, and other forms of physical abuse. Government forces deny these allegations and assert that they target persons not on the basis of religion, but on suspicion of involvement in terrorist activity. For their part, terrorists killed and otherwise attacked hundreds of Hindu and Muslim civilians in 2001 and 2002. Given that the terrorists exclusively are Muslim and charges of religion-based harassment could be used to further their political objectives, it is impossible to substantiate either the claims of the security forces or those making the allegations against them. It is difficult to separate religion and politics in Kashmir; Kashmiri separatists exclusively are Muslim, and almost all the higher ranks as well as most of the lower ranks in the Indian forces stationed there are non-Muslims.

The BJP has been inconsistent in its approach to violence against Christians. In June 2000, in Uttar Pradesh, Vijay Ekka, a witness to the killing of a Catholic priest, George Kuzhikandum, died in police custody. Ekka initially was placed under police protection because of the risk of Hindu reprisals against him. Human rights organizations and minority communities across the country criticized his death. Archbishop Vincent Concessao of Agra said that Ekka's body showed signs of torture, and that police had told church authorities that Ekka had committed suicide. While in detention, Ekka told visitors that he was being tortured constantly in police custody, and said that he was afraid that the police would kill him. The state government initiated an investigation into Ekka's death on June 17, 2000, and a few days later announced plans to establish a judicial inquiry. The Mathura superintendent of police was transferred, and two policemen were arrested in connection with the incident. At the end of the period covered by this report, the trial against

the two police was continuing; another eyewitness in the case had registered a complaint with the NHRC regarding harassment by the local police

Weak enforcement of laws protecting religious freedom partly is due to an overburdened and corrupt judiciary. The legal system as a whole has many years of backlog, and all but the most prominent cases move slowly. Official failure to deal adequately with intragroup and intergroup conflict and with local disturbances in some places as a practical matter has abridged the right to religious freedom. A federal political system in which state governments hold jurisdiction over law and order problems contributed to the Government's ineffectiveness in combating religiously based violence. The country's only national law enforcement agency, the CBI, is required to ask state government permission before investigating a crime in the affected state. States often delay or refuse to grant such permission.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

In April 2002, the Pondicherry state government ordered an inquiry into the alleged forced conversions of prisoners to Christianity by the superintendent of Pondicherry Central Prison. Six prisoners filed a complaint, claiming that they had been tortured after refusing to convert.

Hindu nationalist organizations frequently allege that Christian missionaries force Hindus, particularly those of lower castes living in the east, to convert to Christianity. Christians claim that the efforts of Hindu groups to "reconvert" Christians to Hinduism are coercive. There is no firm evidence supporting either side's claim of forced conversions.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

During the period covered by this report, Parliament passed the long-debated amendments to the Indian Divorce Act of 1869. These amendments allowed Christian women to file for divorce, for the same reasons as men. In May the Mumbai High Court ruled that divorces of Muslim couples must be proven in court. Previously, a Muslim male's assertion of a divorce was sufficient.

The trial for the killing of Graham Staines and his two minor sons is still at a preliminary stage. The trial is being prosecuted by the CBI, rather than by local prosecutors and under the CBI's efforts, the trial appears to be making progress. Singh has been denied bail, and witnesses are beginning to testify to his involvement.

In April 2001, the standing committee of the Home Ministry expressed concern over the "alarming rise of the monster of communalism," and asked the Government to take steps to check the growing divide among communities.

### SECTION III. SOCIETAL ATTITUDES

Animosities within and between the country's religious communities have roots that are centuries old, and these tensions—at times exacerbated by poverty, class, and ethnic differences—have erupted into periodic violence throughout the country's 55-year history. The Government makes some effort, not always successfully, to prevent these incidents and to restore communal harmony when they do occur (see Section II); however, tensions between Muslims and Hindus, and between Hindus and Christians, continue to pose a challenge to the concepts of secularism, tolerance, and diversity on which the State was founded.

Within the Indian context, the phrase "communal violence" generally is understood to mean Hindu-Muslim conflict and the possibility of retaliation and serious riots. During the period covered by this report, attacks on religious minorities occurred in several states. Some of these attacks were motivated by economic motives or arose in a context of existing nonreligious disputes; others were purely religious in motivation.

Hindu-Muslim violence has led to killings and a cycle of retaliation. In some cases, local police and government officials abetted the violence, and at times security forces were responsible for abuses. Violence against Christians, at least outside of the northeast, rarely results in mass retaliation. However, between Hindu and Muslim communities, even rumors, supposed slights, or perceived insults can result in mass riots.

Hindus and Muslims continue to feud over the existence of mosques constructed several centuries ago on three sites where Hindus believe that temples stood previously. The potential for renewed Hindu-Muslim violence in connection with this controversy remains considerable. Extremist Hindu groups such as the VHP and

Bajrang Dal maintain that they intend to build a Hindu temple in Ayodhya on the site of a 500-year old mosque demolished by a Hindu mob in 1992, with or without the Government's approval. In March 2002, the Vishva Hindu Parishad (VHP) agreed to delay the decision on temple construction for at least 3 months.

Some of the most severe communal violence in the country's history occurred during the period covered by this report. On February 27, 2002, Muslim mobs attacked a train in Godhra, Gujarat that was carrying Hindu activists returning from Ayodhya in Uttar Pradesh. The attack reportedly followed an altercation between Hindu activists on the train and Muslim vendors at the train station in Godhra that morning. Two train cars were set on fire, and 58 passengers were killed, including 15 children and 25 women, according to Gujarat state officials. Hindu mobs in Gujarat and Maharashtra allegedly angered by the attack on the train and incited and organized by members of the Sangh Parivar, destroyed Muslim businesses, raped Muslim women, and killed Muslims. The official estimate of the number killed is 950; however, some observers believe that the number may be as high as 2,000. The anti-Muslim violence displaced approximately 150,000 persons who fled for security reasons or because their homes were destroyed. Property damage was significant, with large numbers of Muslim homes, businesses, and religious sites destroyed. Although the most severe violence took place during the week following the attack on February 27, 2002, reports of sporadic violence and interreligious strife continued throughout the end of the period covered by this report. Initially the Government announced a probe only of the Muslim attack on the train; however, after criticism by opposition parties and the media, the government expanded the probe to include the violence after the attack on the train.

In April 2002, a fact-finding team visited Gujarat to document the impact of communal riots on women. The team consisted of women from various women's organizations. The report stated that Muslim women had been subjected to "unimaginable, inhuman, barbaric" sexual violence during the violence. Women suffered rape, gang rape, and molestation.

In October 2001, communal riots broke out in Malegoan, Maharashtra after authorities tried to stop Muslim clerics from distributing pamphlets that advised Muslims against buying American goods to protest U.S. military action in Afghanistan. Twelve persons died in the riots that followed. A curfew was imposed in the town for days, and two plastic factories were burned down.

On August 1, 2000, news of a massacre of Hindu pilgrims to Amarnath by Kashmiri militants spread through the country. In Gujarat, in the cities of Surat, Ahmedabad, Palanpur, and Rajkot and in two villages in the Sabarkantha district, Khed Brahma and Modasa, angry Hindu mobs reacted by burning Muslim businesses. The fights that ensued left two Hindus and three Muslims dead, and caused \$2.5 million (117.5 million rupees) in property damage. In Surat, Muslims alleged that the state reserve police sided with the attackers instead of the victims.

In late September 2000, during voting for city elections in Ahmedabad, a partisan clash with communal overtones developed into a riot. The police fired on the rioting mob, killing eight Muslims.

On October 16, 2000, a gang entered Tahira village, Siwan district, Bihar, and killed five members of a Muslim family. Police suspect that unknown persons in nearby Mohajirpur village committed the killings in retaliation for the killings of Hindu villagers a few days earlier. On December 3, 2000, a group of men in Tirunelveli, Tamil Nadu, attacked and killed a Muslim imam with crude bombs and sickles.

In early September 2000, in the city of Nanded in Maharashtra, Hindu-Muslim violence broke out for 2 days after Muslims in a mosque allegedly threw stones at a Hindu religious procession during the annual Ganesh festival. Approximately 60 persons were injured. The Maharashtra government ordered a judicial inquiry; however, there were no reported results by the end of the period covered by this report. The local media observed a voluntary gag order to prevent the violence from spreading to other cities.

In March three mosques were damaged and adjoining shops and houses set on fire in Bhiwani, Haryana after reports of cow slaughtering in the town. In the period covered by this report, an estimated thirty small Muslim shrines were demolished in various Gujarati cities and villages, and allegedly Hindu rioters placed idols of the Hindu God Hanuman and christened these shrines temples of the "rioting Hanuman." In early 2001, Hindu-Muslim tension increased after the destruction of the Bamiyan Buddhas by Afghanistan's Taliban. Almost the entire country's religious community, including most prominent Muslims, strongly protested the Taliban's action; however, some radical Hindus exploited the issue. On March 5, 2001, Bajrang Dal activists allegedly burned a copy of the Koran in New Delhi. A

police investigation resulted in two arrests; however, there was no further action by the end of the period covered by this report.

In the Maharashtra cities of Pune, Aurangabad, Nanded, and Nasik over the weekend of March 9 to 11, 2001, Muslims reacted to an alleged Koran burning in New Delhi by going on strike and burning Hindu property, government vehicles, and a police station in Pune. A radical Muslim student's organization, Student's Islamic Movement of India, had posted inflammatory posters about the incident. Mumbai police averted trouble by holding intercommunity meetings in sensitive areas of the city.

On March 21, 2001, in Amritsar, Punjab, members of a new, fringe Hindu extremist group burned a Koran and threw pig body parts inside a mosque in an attempt to enrage Muslims and start communal violence. A few days of riots, resulting in several deaths and extensive property damage, ensued in the northern cities of Amritsar, Kanpur and Baramulla. A similar Koran burning in Patiala, Punjab, did not lead to major riots. The VHP accused "hostile elements" of trying to stir up communal tension.

Throughout the period covered by this report, Jammu and Kashmir continued to be a focus of violence. Muslim militants committed atrocities against Hindus and other Muslims, and the security forces often used excessive force to suppress them. Civilians frequently are caught in the crossfire. Custodial killings of suspected militants, all of whom are Muslim, are common. Militants also carried out several execution-style mass killings of Hindu villagers and violently targeted Pandits (Hindu Kashmiris) in an attempt to force Hindus to emigrate.

There were a number of violent incidents that are believed to have been carried out by Muslim militants. Early in 2001, eight Sikhs were killed, allegedly by an obscure militant group. On February 3, 2001, two gunmen killed six Sikhs and wounded at least four others in Srinagar. The public interpreted this attack as punishment by militants for the killing earlier in the week of a Muslim civilian, allegedly by Sikh policemen belonging to Kashmir's Special Operations Group; however, such allegations never were proved. The Government sent a four-member team to Kashmir to investigate the killings; however, no one had been charged, and there had been no reported progress in the investigation of the killings at the end of the period covered by this report. Sikhs protested the killings, which led to violent clashes with police. The February 2001 incident was the first attack against the Kashmir Valley's minority Sikh population since the March 2000 killing of 35 Sikh men in the village of Chatthi Singhpora in south Kashmir.

On July 21, 2001, 13 persons, including 6 pilgrims and 2 security force personnel, were killed and 15 others injured in attacks on pilgrims of the annual Amarnath Yatra (pilgrimage). According to unconfirmed reports, militants in disguise opened fire and detonated an explosive device enroute to the Amarnath cave. In May 2001, six Hindu cattle herders in the mountains around Jammu were beheaded, apparently by Muslim militants. On October 1, 2001, Kashmiri terrorists killed 38 employees and security officers and injured 50 others in an attack on the Jammu and Kashmir Legislative Assembly. A spokesman for the terrorist group Jaish-e-Mohammad, based in Pakistan, claimed responsibility for the attack.

In July 2000, Muslim militants killed three Buddhist monks in Rangdum, Kargil district. On July 30, 2000 militants threw a grenade into a jeep carrying Hindu religious pilgrims near Gulmarg, killing one person and injuring five others. On August 1 to 2, 2000, militants entered a camp of Hindus making the annual pilgrimage to Amarnath in the northern part of the state and fired automatic weapons at tents, at the unarmed civilians in the camp, the pilgrims' local porters and guides, and at army personnel nearby. A total of 32 persons were killed in the attack, all of them unarmed civilians. Similar attacks occurred throughout the night of August 1 to 2, 2000 killing approximately 100 persons in various places in Jammu and Kashmir. On August 17, 2000 militants reportedly killed six Hindu villagers and seriously wounded seven others in Jammu. On August 18, 2000 militants entered a Hindu village in the Koteswara area near Rajauri and indiscriminately fired at villagers, killing four persons and injuring six others. On August 18, 2000 militants killed three elderly men and a teenage boy and wounded two other persons when they fired automatic guns at civilians in Ind village, Udhampur. On August 20, 2000 a person shot and injured a Hindu telephone kiosk operator in Qazi Gund, near Anantnag. Also on August 20, 2000 militants entered the Hindu village of Indeh, Udampur district and killed four members of a Hindu family. No judicial or publicized action was taken against the militants and none seems likely in the future.

In March 2002, the Jammu and Kashmir government demanded an apology from former VHP leader Vinay Katiyar (now Chief of the BJP in Uttar Pradesh) for his comments on the Hazratbal shrine located in the region. Katiyar had stated that the holy relic believed to be a single hair from Prophet Mohammed's head and pre-

served at the Hazratbal shrine actually belonged to a Hindu seer. After Katiyar made this statement, large-scale demonstrations followed.

Violence against Christians increased in 1999 and 2000, although it has decreased since. A Home Ministry report released on April 26, 2001, admitted that there had been “an increase in attacks on Christians and their institutions in the year 2000,” and went on to claim that communal violence as a whole had declined by 9 percent. The outbreak of societal violence against Christians that occurred during 1999 and 2000, which apparently was sparked by rumors of forced conversions of Hindus to Christianity, was not repeated during the period covered by this report. However, tensions persist, and the underlying resentment of Christians by Hindus sometimes leads to violent confrontations. In late April 2001, the Catholic Bishops’ Conference of India said that while incidents of violence against the Christian community had decreased, “that does not mean that the threat perception has also decreased” among Christians.

Christian missionaries have been operating schools and medical clinics for many years in tribal areas. Tribals (who have no caste status) and Dalits (who are at the lowest end of the caste system) occupy the very lowest position in the social hierarchy. However, they have made socioeconomic gains as a result of the missionary schools and other institutions, which, among other things, have increased literacy among low-caste and non-caste persons. Some higher-caste Hindus resent these gains. They blame missionaries for the resulting disturbance in the traditional Hindu social order as better educated Dalits, tribals, and members of the lower castes no longer accept their disadvantaged status as readily as they once did. Some Hindu groups fear that Christians may try to convert large numbers of lower-caste Hindus, using economic or social welfare incentives. Upper-caste Hindus, the membership base of the BJP and RSS, are afraid that this may destroy the rigid caste hierarchy. Many acts of violence against Christians stem from these fears.

Citizens often refer to schools, hospitals, and other institutions as “missionary” even when they are owned and run entirely by indigenous Christian citizens. By using the adjective “missionary,” the RSS taps into a longstanding fear of foreign religious domination.

Anti-Christian violence has included killings. In December 2001, a 22-year-old nun, Sarita Toppo, was killed in a remote tribal village in Sarguja district of Chattisgarh. In early December 2000, a Catholic priest was killed in Manipur. Earlier in Kurpania, Bihar, a nun was raped and a convent was looted.

Many persons also have been injured in attacks on Christians. In November 2001, four Christian missionaries were seriously injured when they were attacked in Dhar district, Madhya Pradesh. In February 2001, four persons were injured after purported members of the Sangh Parivar attacked the Holy Family Church in Mysore, Karnataka. A group of 70 men, allegedly Bajrang Dal activists attacked the church during the celebration of Mass. The VHP termed the incident as “unfortunate,” and asserted that the attackers did not belong to the Sangh Parivar. In August activists from the VHP and Bajrang Dal attacked three Christian nuns from an orphanage in Jhabua district and some Muslim drivers in Madhya Pradesh. The victims alleged that police later harassed them when they arrived at the police station to lodge a complaint. In March 2001, alleged BJP and RSS activists attacked a Christian congregation at Chevalla in Andhra Pradesh. The alleged reason behind the attacks was the pervasive perception that Christians were encouraging conversions of Hindus.

In August 2000, in Gandhinagar, Gujarat, a mob beat up a priest for distributing Christian literature. In September 2000, a Catholic Church in Karnataka was vandalized. In late November 2000, in Surat district, Gujarat, a Hindu mob vandalized a small church (converted house) in Chindhia village of Vyara Tehsil. The owner of the church land, which is in a tribal area, was a tribal convert to Christianity who reportedly willingly reconverted to Hinduism and supported the vandals in re-consecrating the building for Hindu worship. The Bishop of the Evangelical Church of India, a small Protestant denomination, was refused an audience with the Chief Minister of Gujarat to discuss this case. The Chief Minister and Gujarat authorities considered the case a conflict over conversion and land, and not a religiously motivated attack on Christians. The lower (tehsil level) court ruled in favor of the Christian group, but the district court ruled in favor of the Hindu group’s possession of the premises. The Christian group has appealed the decision to the Gujarat high court (the next higher court).

In January 2001, in a village near Udaipur, Rajasthan, Bajrang Dal activists allegedly beat two Christian missionaries and their followers because they were watching a film on the life of Christ. Both missionaries were attempting to convert local tribals.

On May 7, 2001, Father Jaideep, a Christian priest, was attacked in Jatni town, Orissa. Local citizens reportedly were enraged by the priest's distribution of pamphlets to propagate Christianity in a Hindu-dominated area, allegedly participated in the attack. In June 2001, a report in *The Hindu*, a leading national newspaper, stated that more than 5,000 tribals were reconverted back to Hinduism in Orissa over a period of 2 years.

In March 2002, following the outbreak of communal riots in Gujarat, Christian organizations reported that Christian institutions and functionaries in the state also were attacked. These Christian organizations blame the RSS and the VHP for ransacking and burning Christian missions in Sanjeli and Dhudhia, although these charges have not otherwise been confirmed. In April 2002, a church in Managalore, Karnataka was attacked by approximately 60 persons protesting alleged attempts to convert local Hindus to Christianity. In August 2001 in Anakapalli, Andhra Pradesh, 43 Christian tombs in the local burial ground were destroyed. Throughout June and July 2000, there were several bomb explosions in or near Christian institutions in the southern states of Karnataka and Andhra Pradesh. No one was killed in the explosions, which caused relatively minor damage. The blasts later were blamed on Deendar Anjuman activists. Members of the group were taken into custody, and the Government later banned the group (see Section II). These incidents, as well as the killing of a principal at a Christian school near Mathura, Uttar Pradesh, in 2000 led to heated debates in Parliament during which opposition members accused the Government of failing to rein in the radical elements of the Sangh Parivar (see Section II).

In May 2001, at the Banavali village of Salcete Tehsil in South Goa, a Christian priest named Satirino Antao tried to sell a disputed school property to a splinter Christian group calling themselves the "Believers." The majority of the school's parents were Catholics who opposed the move. Reportedly on May 20, 2001, after a heated meeting, the parents vandalized school property and on May 28, 2001, allegedly assaulted Father Antao. The Archbishop's office claimed that Antao had been removed as priest of Banavali church in 1973 and had no right to sell the school because it belongs to the Catholic Church. At the end of the period covered by this report, the case against Antao remained in the Goa High Court. On May 28, 2001, in Kapadwanj in Kheda district in Gujarat, members of the VHP stopped a funeral procession to prevent the burial of a Christian in a disputed burial ground. The police used tear gas to dispel the VHP members, but the body had to be moved to Ahmedabad for burial.

On March 8, 2001, K.S. Sudarshan made a speech advocating the "Indianization" of Islam and Christianity. He stated that [Muslims and Christians] "should sever their links with the Mecca and the Pope and instead become swadeshi." He also had stated that Christians should "reinterpret their scriptures" in a manner more in keeping with Hindu cultural norms. Catholics took special exception to this; the Archbishop of Delhi pointed out that the Indian Christian church is 2,000 years old (traditionally dating from the Apostle Thomas), and that although the spiritual head was the Pope, the day-to-day administration of the church was entirely in Indian hands. The RSS published an article entitled "Foreign Missionaries, Quit India:RSS" in their journal *The Organiser*, in which they attacked missionary-backed Christian institutions in the country. In March 2001, in Orissa, Christian Archbishop Cheenath gave a speech objecting to an amendment to the Orissa Religious Freedom Act which he believed would make conversion more difficult. He said that fears of forced conversion were not credible. He noted that, although Christian schools have for generations educated a far larger percentage of citizens than there are Christians in the general population, Christians make up slightly less of the population today than they did in the 1991 census.

In September 2001, some Christian leaders, believing that violence against Christians had declined significantly since the summer of 2000, agreed to meet with leaders of Hindu organizations. RSS chief K.S. Sudarshan stated there was a need for more such meetings between the RSS and Christians to create an atmosphere of peace and to remove misgivings and fears within the minority community. However, in 2001 the RSS angered minority communities by publicly challenging the "Indian-ness" of religious minorities. On December 31, 2001, RSS chief K.S. Sudarshan addressed a meeting of volunteers of the Hindu Swayamsewak Sangh (a global organization of expatriate Hindus) in a suburb of Mumbai. He said that only the RSS can serve as the bulwark against what he claimed was the Catholic Church's agenda of converting large Asian populations to Christianity.

In Christian majority areas, Christians sometimes are the oppressors. In Tripura, there were several cases of harassment of non-Christians by Christian members of the National Liberation Front of Tripura (NLFT), a militant tribal group with an evangelical bent. For example, NLFT tribal insurgents have prohibited Hindu and

Muslim festivals in areas that they control, cautioned women not to wear traditional Hindu tribal attire, and prohibited indigenous forms of worship. In Assam, where the population is increasing rapidly, the issue of Bangladeshi migrants (who generally are Muslim) has become very sensitive among the Assamese (predominantly Hindu) population, which considers itself to be increasingly outnumbered.

According to the Ministry of Home Affairs, approximately 51,000 Pandit families fled their homes in Jammu and Kashmir due to the violence between 1990 and 1993. Of these, 4,674 families are living in refugee camps in Jammu, 235 families are in camps in Delhi, and 18 families are in Chandigarh. The rest still are displaced, but are living outside of the camps in Jammu and Delhi. The Pandit community criticizes bleak physical, educational, and economic conditions in the camps and fears that a negotiated solution giving greater autonomy to the Muslim majority might threaten its own survival in Jammu and Kashmir as a culturally and historically distinctive group. In August 2000, the Jammu and Kashmir government adopted a proposal designed to facilitate the return of Pandits to the Kashmir valley and rehabilitation of the Pandits. However, various Pandit groups criticized the proposal for failing to address the political aspirations of Pandits, for failing to provide economic support and adequate security for returning Pandits, and for creating special economic zones that would aggravate communal tensions. The proposal was abandoned during 2001, in large part due to the Government's inability to ensure the personal security of returnees.

The country's caste system generates severe tensions due to disparities in social status, economic opportunity, and, occasionally, labor rights. These tensions frequently have led to or exacerbated violent confrontations and human rights abuses. However, intercaste violence generally does not have a significant religious component.

The country's caste system historically has strong ties to Hinduism. Hinduism delineates clear social strata, assigning highly structured religious, cultural, and social roles, privileges, and restrictions to each caste and subcaste. Members of each caste—and frequently each subcaste—are expected to fulfill a specific set of duties (known as dharma) in order to secure elevation to a higher caste through rebirth. Dalits are viewed by many Hindus as separate from or “below” the caste system; nonetheless, they too are expected to follow their dharma if they hope to achieve caste in a future life. Despite efforts by reform-minded modern leaders to eliminate the discriminatory aspects of caste, societal, political, and economic pressures continue to ensure its widespread practice. Caste today therefore is as much a cultural and social phenomenon as a religious one.

The Constitution gives the President the authority to specify, in a schedule attached to the Constitution, historically disadvantaged castes, Dalits, and “tribals” (members of indigenous groups historically outside the caste system). These “scheduled” castes, Dalits, and tribes, are entitled to affirmative action and hiring quotas in employment, benefits from special development funds, and special training programs. The impact of reservations and quotas on society and on the groups they are designed to benefit is a subject of active debate within the country. Some contend that they have achieved the desired effect and should be modified, while others strongly argue that they should be continued, as the system has not addressed adequately the long term discriminatory impact of caste. According to the 1991 census, scheduled castes, including Dalits, made up 16 percent and scheduled tribes made up 8 percent of the population.

Muslims, Christians, and Sikhs historically have rejected the concept of caste, despite the fact that most of them descended from low caste Hindu families and continue to suffer the same social and economic limitations of low caste Hindus. Low caste Hindus who convert to Christianity lose their eligibility for affirmative action programs. Those who become Buddhists, Jains, or Sikhs do not, as the Constitution groups members of those faiths with Hindus and specifies that the Constitution shall not affect “the operation of any existing law or prevent the state from making any law providing for social welfare and reform” of these groups. In some states, there are government jobs reserved for Muslims of low caste descent.

Members of religious minorities and lower castes criticized the 2001 census as discriminating against them. They claim that they frequently were not allowed to register their correct caste status. Census results are used to apportion government jobs and higher education slots to Scheduled Castes and Scheduled Tribes. In February 2001, the Catholic Bishops' Conference of India strongly criticized the census for “discriminating against weaker sections of society” by maintaining that Scheduled Castes may only be Hindu, Sikh, or Buddhist. The National Council of Churches in India also protested the census. Despite the fact that Christianity does not recognize caste at all, Christian leaders recognize that society in general still does, and that the 50 percent of the country's Christians who are of Dalit origin may be dis-

advantaged by not being allotted shares of jobs and places in education under the Scheduled Castes/Scheduled Tribes provisions of the Constitution. Dalit converts to Christianity claim that societal discrimination against them on the basis of caste continues, even within the Christian community. One indicator of the continued slowness of economic and social upward mobility of Dalit Christians is that, of the 180 Catholic bishops in the entire country, only 5 are Dalits. Muslim Dalits, who account for most of the country's 130 million Muslims, also were not counted as Dalits in the census. Muslim leaders have not protested the census issue vigorously.

In 2001 Human Rights Watch reported that the practice of dedicating or marrying young, prepubescent girls to a Hindu deity or temple as "servants of god," or "Devadasis," reportedly continues in several southern states, including Andhra Pradesh and Karnataka. Devadasis, who generally are Dalits, may not marry. They must live apart from their families and are required to provide sexual services to priests and high caste Hindus. Reportedly, many eventually are sold to urban brothels. In 1992 the state of Karnataka passed the Karnataka Devadasi (Prohibition) Act and called for the rehabilitation of Devadasis, but this law reportedly is not enforced effectively and criminalizes the actions of Devadasis. Since Devadasis are by custom required to be sexually available to higher caste men, it reportedly is difficult for them to obtain justice from the legal system if they are raped by higher caste men.

Despite the incidents of violence and discrimination during the period covered by this report, relations between various religious groups generally are amicable among the substantial majority of citizens. There are efforts at ecumenical understanding that bring religious leaders together to defuse religious tensions. The annual Sarva Dharma Sammelan (All Religious Convention) and the frequently held Mushairas (Hindu-Urdu poetry sessions) are some events that help improve inter community relations. Prominent secularists of all religions make public efforts to show respect for other religions by celebrating their holidays and attending social events such as weddings. Institutions such as the army consciously forge loyalties that transcend religion. After episodes of violence against Christians, Muslim groups have protested against the mistreatment of Christians by Hindu extremists, and in 2001, prominent Catholics spoke out against the killings of six Sikhs in Kashmir.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy continued to promote religious freedom through contact with the country's senior leadership, as well as with state and local officials. The U.S. Embassy and Consulates regularly meet with religious leaders and report on events and trends that affect religious freedom.

During the period covered by this report, U.S. Embassy and Consulate officials met with important leaders of all of the significant minority communities. The NGO and missionary communities in the country are extremely active on questions of religious freedom, and mission officers meet with local NGO's regularly.

The Ambassador and other senior U.S. officials publicly expressed regret over the communal violence in Gujarat, extended condolences to the victims, and urged all parties to resolve their difference peacefully. In addition, the USAID office provided funding for an NGO program designed to assist internally displaced persons in Gujarat.

U.S. officials from the Consulate General in Mumbai traveled to Ahmedabad within days of the start of the violence in Gujarat, to meet with officials and private citizens about the violence. As rioting continued, other Mumbai Consulate General officers traveled to the state to assess the situation. Consulate officers also met in Mumbai with a range of NGO, business, media and other contacts, including Muslim leaders, to monitor the aftermath of the violence in Gujarat.

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### MALDIVES

The 1997 Constitution designates the Sunni branch of Islam as the official state religion, and the Government interprets this provision to impose a requirement that citizens must be Muslims. The practice of any religion other than Islam is prohibited by law. Non-Muslim foreigners are allowed to practice their religion if they do so in private and do not encourage citizens to participate. The President is the "supreme authority to propagate the tenets of Islam." The Government observes Shari'a (Islamic law).

There was no change in the status of respect for religious freedom during the period covered by this report, and freedom of religion is restricted significantly. Citi-

zens regard Islam as one of their society's most distinctive characteristics and believe that it promotes harmony and national identity.

The U.S. Government does not maintain a resident Embassy in the Maldives; the U.S. Ambassador in Colombo, Sri Lanka, also is accredited to the Government in Male. The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The Maldives is an archipelago consisting of approximately 1,200 coral atolls and islands scattered over 500 miles in the Indian Ocean southeast of India, and its population is approximately 280,000.

It is believed that the entire indigenous population is Muslim, the vast majority of which adhere to the Sunni branch of Islam. Some foreign Muslims in the country belong to other branches of Islam. Non-Muslim foreigners in the country are allowed to practice their religion privately. Approximately 400,000 tourists (predominantly Europeans and Japanese) visit the country annually. There also are approximately 30,000 foreign workers in the country, primarily from Sri Lanka, India, and Bangladesh. The workers from these countries represent a mix of the religions prevalent in South Asia, and include Muslims, Hindus, Buddhists, and Christians.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

Freedom of religion is restricted significantly. The 1997 Constitution designates Sunni Islam as the official state religion, and the Government interprets this provision to impose a requirement that citizens be Muslims. The practice of any religion other than Islam is prohibited by law. However, non-Muslim foreign residents are allowed to practice their religion if they do so privately and do not encourage citizens to participate.

##### *Restrictions on Religious Freedom*

In July 2000, President Maumoon Abdul Gayoom stated that the Government should take steps to ensure that Islam remains the only religion in the country. Following the President's statement, the Home Affairs Ministry announced special programs to safeguard and strengthen religious unity. The Government has established a Supreme Council of Islamic Affairs to provide guidance on religious matters. The Supreme Council also prepares a text to be used nationally for Friday sermons at mosques. The Government also has set standards for individuals who conduct Friday services at mosques to ensure adequate theological qualifications and to ensure that services are not dominated by radicals.

The President must be a Sunni Muslim and under the Constitution is the "supreme authority to propagate the tenets of Islam." Cabinet ministers also are required to be Sunni Muslims. Members of the People's Majlis (Parliament) must be Muslim. The Government observes Shari'a.

There are no places of worship for adherents of other religions. The Government prohibits non-Muslim clergy and missionaries from proselytizing and conducting public worship services. Conversion of a Muslim to another faith is a violation of Shari'a and may result in a loss of the convert's citizenship. In the past, would-be converts have been detained and counseled regarding their conversion from Islam. Foreigners have been detained and expelled for proselytizing, although there were no such reports during the period covered by this report.

The law limits a citizen's right to freedom of expression in order to protect "the basic tenets of Islam."

The Government prohibits the importation of icons and religious statues but generally permits the importation of religious tracts, such as Bibles, for personal use.

Islamic instruction is a mandatory part of the school curriculum, and the Government funds the salaries of instructors of Islam.

Under the country's Islamic practice, certain legal provisions discriminate against women. For example, under Islamic practice, husbands may divorce their wives more easily than vice versa, absent any mutual agreement to divorce. Shari'a also governs intestate inheritance, granting male heirs twice the share of female heirs. A woman's testimony is equal only to one-half of that of a man in matters involving adultery, finance, and inheritance.

##### *Abuses of Religious Freedom*

There were several reports of religious detainees during the period covered by this report. The law limits a citizen's right to freedom of expression in order to protect the "basic tenets of Islam." According to Amnesty International and other sources,

in early 2002, four individuals were arrested for distributing Islamist and anti-government literature. The four men were standing trial on these issues as of June 2002. In addition, a Muslim clergyman reportedly was questioned and temporarily detained during an investigation into accusations that he had made Islamist-tinged sermons in June 2002.

There were no reports of religious prisoners during the period covered by this report.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Most citizens regard Islam as one of their society's most distinctive characteristics and believe that it promotes harmony and national identity.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government does not maintain a resident embassy in the Maldives; the U.S. Ambassador in Colombo, Sri Lanka also is accredited to the Government in Male. The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

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## NEPAL

The Constitution provides for freedom of religion and permits the practice of all religions; however, although the Government generally has not interfered with the practice of other religions, there are some restrictions. The Constitution describes the country as a "Hindu Kingdom," although it does not establish Hinduism as the state religion.

There was no change in the status of respect for religious freedom during the period covered by this report. Converting or attempting to convert others is prohibited, and members of minority religions occasionally report police harassment. There were reports of isolated attacks on religious buildings, mainly by Maoist insurgents, during the period covered by this report.

Adherents of the country's many religions generally coexist peacefully and respect all places of worship. Those who convert to other religions may face isolated incidents of violence and sometimes are ostracized socially but generally do not fear to admit in public their affiliations.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy maintains regular contact with Hindu, Christian, Buddhist, Jewish, Baha'i, and other religious groups.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 54,363 square miles, and its population is approximately 23.15 million. Hindus constitute approximately 81 percent of the population; Buddhists, 11 percent; Muslims, 4.2 percent; and practitioners of Kirant (an indigenous animist religion) and others, 3.6 percent, of which .45 percent are Christian. Christian denominations are few but growing. Estimates put the number of Christians at approximately 400,000, and press reports indicate that 170 Christian churches operate in Kathmandu alone.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Constitution provides for freedom of religion and permits the practice of all religions; however, although the Government generally has not interfered with the practice of other religions, there are some restrictions. The Constitution describes the country as a "Hindu Kingdom," although it does not establish Hinduism as the state religion.

For decades dozens of Christian missionary hospitals, welfare organizations, and schools have operated in the country. These organizations have not proselytized and have operated freely. Missionary schools are among the most respected institutions

of secondary education in the country; many of the country's governing and business elite graduated from Jesuit high schools. Many foreign Christian organizations have direct ties to Nepali churches and sponsor Nepali pastors for religious training abroad.

Some religious holidays, most of them Hindu, are recognized as national holidays. During the period covered by this report, the religious holidays recognized as national holidays were Mahashivaratri, Fagun Purnima, Krishna Asthami, Dasain and Tihar.

#### *Restrictions on Religious Freedom*

The law prohibits converting others and proselytizing, activities that are punishable with fines or imprisonment. Some Christian groups are concerned that the ban on proselytizing limits the expression of non-Hindu religious belief.

A conviction for converting others or proselytizing can result in fines or imprisonment or, in the case of foreigners, expulsion from the country. No new cases related to converting others or proselytizing were filed during the period covered by this report. However, four such cases were filed during the period covered by the previous report. One case filed in 1991 remains pending. Members of minority religions occasionally complain of police harassment.

The Government investigates reports of proselytizing. Nongovernmental groups or individuals are free to file charges of proselytizing against individuals or organizations. Such a case was filed with the Supreme Court in December 1999 by a private attorney against the Adventist Development and Relief Agency (ADRA) and the United Missions to Nepal (UMN), an umbrella Protestant group. Hearings in this case have been postponed a number of times. The most recent postponement set the hearing date for August 16, 2002. In April 2001, a case against the UMN was filed with the Supreme Court by a member of the Pashupati Sena Nepal, a Hindu fundamentalist group. The Supreme Court dismissed the case the day after it was filed.

In 1999 Christian groups in Kathmandu were prevented from observing Good Friday in a public park when they failed to obtain the proper permit. However, Easter services in 1999, which were conducted without the proper permit, took place without incident. Public observances of Easter in a Kathmandu park and a Passover Seder in a major hotel in Kathmandu in 2000 and 2001 were uneventful. No disruptions of Christian or Jewish services were reported during the period covered by this report.

Tibetan Buddhists have faced various restrictions on their celebrations. After the June 1, 2001, deaths of members of the royal family, Tibetan community leaders were asked by local officials to refrain from public celebrations of festivals during the period of official mourning. During the second half of 2001, Tibetan community festivals had to be observed on private property, with the exception of a public celebration on September 2, 2001, that was held at Kathmandu's Boudhanath Stupa. However, plans to mark December 10, 2001, as the anniversary of the Dalai Lama's Nobel Prize, to be held at the Boudhanath Stupa, were canceled at the request of the authorities. On April 28, 2002, police prevented a Tibetan cultural program planned at a public venue from taking place. The program was to have honored the 13th birthday of Gedhun Choekyi Nyima, the boy recognized by the Dalai Lama to be the 11th Panchen Lama.

Local authorities in Kathmandu halted the performance of a traditional dance scheduled to be performed on February 26, 2001, at the Boudanath Stupa during the 6-day celebration of the Tibetan New Year. Other activities that same day and the other 5 days of the festival continued as usual. In December 2000, police stopped a procession of Tibetan school children, monks, and others on their way to Swayambunath Temple in Kathmandu. However, no injuries were reported.

On January 31, 2002, the Cabinet decided that Muslim religious schools, or madrassahs, must register with local District Administration Offices (part of the Home Ministry) and supply information about their funding sources in order to continue operation. Some Muslim leaders criticized the move as discriminatory. After consultation with members of the Muslim community, the Government extended the registration deadline by 6 months to September 2002.

The Constitution prohibits discrimination on the basis of caste, except for traditional religious practices at Hindu temples, where, for example, members of the lowest caste are not permitted (see Section III). The Press and Publications Act prohibits the publication of materials that create animosity among persons of different castes or religions.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The adherents of the country's many religions generally coexist peacefully and respect all places of worship. Most Hindus respect the many Buddhist shrines located throughout the country; Buddhists accord Hindu shrines the same respect. Buddha's birthplace is an important pilgrimage site, and Buddha's birthday is a national holiday.

Some Christian groups report that Hindu extremism has increased in recent years. Of particular concern are the Nepalese affiliates of the India-based Hindu political party Shiv Sena, locally known as Pashupati Sena, Shiv Sena Nepal, and Nepal Shivsena. Shiv Sena Nepal and Nepal Shivsena both strongly criticized the Taliban destruction of Buddhist artifacts in Afghanistan in March 2001, as did many political and religious leaders. However, Nepal Shivsena threatened to break or destroy all "Islamic identities" in Nepal in retaliation for Taliban actions. During late 2001, Muslim leaders complained that Hindu fundamentalists increased their campaigns of anti-Islamic pamphleteering and graffiti. Government policy does not support Hindu extremism, although some political figures have made public statements critical of Christian missionary activities. Some citizens are wary of proselytizing and conversion by Christians and view the growth of Christianity with concern. There were reports of isolated attacks against religious buildings, mainly by Maoist insurgents, during the period covered by this report.

Those who choose to convert to other religions, in particular Hindu citizens who convert to Islam or Christianity, sometimes are ostracized socially. Some reportedly have been forced to leave their villages. While this prejudice is not systematic, it can be vehement and occasionally violent. Hindus who convert to another religion may face isolated incidents of hostility or discrimination from Hindu extremist groups. Nevertheless, converts generally are not afraid to admit in public their new religious affiliations.

Although such discrimination is prohibited by the Constitution, Hindu religious tradition long has prohibited members of the lowest caste from entering certain temples. In a speech on August 16, 2001, Prime Minister Sher Bahadur Deuba stressed that caste-based discrimination is illegal. Since then, temple access for members of the lowest castes has improved in many locations. The caste system, although it is prohibited by the Constitution, strongly influences society. Societal discrimination against members of such castes remains widespread and persistent, despite the government's efforts to protect the rights of disadvantaged castes. Draft legislation aimed at improving conditions for members of the lowest castes still is pending at the Ministry of Law and Justice for review.

In July 2000, some members of a predominantly Buddhist community in Gumda, Gorkha district vandalized the homes of six Christian converts. According to press reports, the six families were reintegrated into the community after agreeing not to kill animals or perform other activities contrary to the tenets of Buddhism during religious festivals. Two representatives of different Christian organizations also have alleged harassment of Christians and destruction of at least two churches by Maoist sympathizers.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy maintains contact with Hindu, Christian, Buddhist, Jewish, Baha'i, and other religious groups. The Embassy monitors closely religious freedom and raises the issue with the Government when appropriate.

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**PAKISTAN**

The Constitution (which was suspended following the October 1999 coup) provides for freedom of religion, and states that adequate provisions are to be made for minorities to profess and practice their religions freely; however, the Government imposes limits on freedom of religion. Pakistan is an Islamic republic; Islam is the state religion. Islam also is a core element of the country's national ideology; the

country was created to be a homeland for Muslims. Religious freedom is “subject to law, public order, and morality;” accordingly, actions or speech deemed derogatory to Islam or to its Prophet are not protected. In addition, the suspended Constitution requires that laws be consistent with Islam and imposes some elements of Koranic law on both Muslims and religious minorities.

There were no significant changes in the Government’s treatment of religious minorities during the period covered by this report. The Government fails in many respects to protect the rights of religious minorities. This is due both to public policy and to the Government’s unwillingness to take action against societal forces hostile to those that practice a different faith. In January 2002, the Government announced plans to abolish the separate electorate system, under which non-Muslim voted in national elections for non-Muslim candidates. Minority leaders and human rights groups had requested the elimination of the separate electorate system for years, on the grounds that it disadvantaged religious minorities. President Pervez Musharraf announced the reinstatement of joint electorates, ending a 15-year practice of preventing religious minorities from voting for local representatives in the provincial and national assemblies. However, on June 26, 2002, the Government proposed constitutional amendments that seek to restore the discretionary powers of the President and the Governors. With this new amendment, the President may dissolve the National Assembly, and the proposal also seeks to eliminate 10 reserved National Assembly special seats for Christians, Hindus, Sikhs, Buddhists, Parsis, other non-Muslims, and Ahmadis.

Acts of sectarian and religious violence continued during the period covered by this report. A number of massacres in churches and mosques brought into question the Government’s ability to prevent sectarian and religious violence. The worst religious violence was directed against the country’s Shi’a minority, who continued to be disproportionate victims of individual and mass killings.

Specific government policies that discriminate against religious minorities include the use of the “Hudood” Ordinances, which apply different standards of evidence to Muslims and non-Muslims and to men and women for alleged violations of Islamic law; specific legal prohibitions against Ahmadis practicing their religion; and blasphemy laws that most often are used against Muslims and Ahmadis. The number of cases filed under the “blasphemy laws” continued to be significant during the period covered by this report. A Christian nongovernmental organization (NGO) reported that 58 cases were registered during 2000 and 2001, compared to 53 cases during 1999-2000.

Relations between different religious groups frequently are tense, and there were a number of deaths attributed to sectarian violence during the period covered by this report.

Discriminatory religious legislation adds to an atmosphere of religious intolerance, which contributes to acts of violence directed against minority Muslim groups, as well as against Christians, Hindus, and members of Muslim offshoot groups, such as Ahmadis and Zikris. The Government does not encourage sectarian violence; however, there were instances in which the Government failed to intervene in cases of societal violence directed at minority religious groups, particularly Shi’as. The lack of an adequate government response contributed to an atmosphere of impunity for acts of violence and intimidation against religious minorities. Parties and groups with religious affiliations target minority groups.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 310,527 square miles, and its population is approximately 132 million. According to the 1998 census, an estimated 96 percent of the population are Muslim; 1.69 percent are Christian; 2.02 percent are Hindu; and 0.35 percent are “other” (including Ahmadis). The majority of Muslims in the country are Sunni. An estimated 10 to 15 percent of the Muslim population are Shi’a. It is estimated that there are between 550,000 and 600,000 Ismailis (a recognized Shi’a Muslim group). Most Ismailis in the country are followers of the Aga Khan; however, an estimated 50,000 Ismailis, known as Borahs, are not.

Religious minority groups believe that they are underrepresented in government census counts. Official and private estimates of their numbers can differ significantly. The most recent census estimates place the number of Christians at 2.09 million and the Ahmadi population at 286,000. The communities themselves each claim membership of approximately 4 million. Estimates for the remaining communities are less contested and place the total number of Hindus at 2.8 million; Parsis (Zoroastrians), Buddhists, and Sikhs at as high as 20,000 each; and Baha’is at

30,000. The “other” category includes tribes whose members practice traditional indigenous religions and who normally do not declare themselves to be adherents of a specific religion, and those who do not wish to practice any religion but remain silent about that fact. Social pressure is such that few persons would admit to being unaffiliated with any religion.

Punjab is the largest province in the country; with 70 million persons, it contains almost half of the country’s total population. Muslims are the majority in Punjab. More than 90 percent of the country’s Christians reside in Punjab, making them the largest religious minority in the province. Approximately 60 percent of Punjab’s Christians live in rural villages. The largest group of Christians belongs to the Church of Pakistan, an umbrella Protestant group; the second largest group belongs to the Roman Catholic Church. The rest are from different evangelical and church organizations.

Christians and Hindus each constitute approximately 1 percent of the populations of Sindh and Baluchistan provinces. These two provinces also have a few tribes that practice traditional indigenous religions and a small population of Parsis (approximately 7,000 persons). The Ismailis are concentrated in Karachi and the northern areas. The tiny but influential Parsi community is concentrated in Karachi, although some live in Islamabad and Peshawar. Christians constitute approximately 2 percent of Karachi’s population. The Roman Catholic diocese of Karachi estimates that 120,000 Catholics live in Karachi, 40,000 in the rest of Sindh, and 5,000 in Quetta, Baluchistan. Evangelical Christians have converted a few tribal Hindus of the lower castes from interior Sindh. An estimated 100,000 Hindus live in Karachi. According to local Christian sources, between 70,000 and 100,000 Christians and a few thousand Hindus live in the Northwest Frontier Province (NWFP).

Ahmadis are concentrated in Punjab and Sindh. The spiritual center of the Ahmadi community is the large, predominantly Ahmadi town of Rabwah in Punjab.

No data are available on active participation in formal religious services or rituals. However, because religion is tied closely to a person’s ethnic, social, and economic identity, religion often plays an important part in daily life. Most Muslim men offer prayers at least once a week at Friday prayers, and the vast majority of Muslim men and women pray at home or at the workplace during one or more of the five daily times of prayer. During the month of Ramadan, many otherwise less observant Muslims fast and attend mosque services. Approximately 70 percent of English-speaking Roman Catholics worship regularly; a much lower percentage of Urdu speakers do so.

The Shikaris (a hunting caste now mostly employed as trash collectors in urban Sindh) are converts to Islam, but eat foods forbidden by Islam.

Many varieties of Hinduism are practiced, depending upon location and caste. Hindus have retained or absorbed many traditional practices of Sindh. Hindu shrines are scattered throughout the country. Approximately 1,500 Hindu temples and shrines exist in Sindh and approximately 500 in Baluchistan. Most shrines and temples are tiny, no more than wayside shrines. During Hindu festivals, such as Divali and Holi, attendance is much greater.

The Sikh community regularly holds ceremonial gatherings at sacred places in the Punjab. Prominent places of Sikh pilgrimage include Nanakana Sahib (where the founder of the Sikh religion, Guru Nanak, was born), Hasan Abdal (a shrine where an imprint of his hand is kept), and Andkatar Poora or Daira Baba Nanak Sahib in Sialkot District (where Guru Nanak is buried).

Parsis, who practice the Zoroastrian religion, have no regularly scheduled congregational services, except for a 10-day festival in August during which they celebrate the New Year and pray for the dead. All Parsis are expected to attend these services; most reportedly do. During the rest of the year, individuals offer prayers at Parsi temples. Parsis maintain a conscious creedal and ceremonial separation from other religions, preserving rites and forbidding marriage to members of other religions.

Only one group described by the authorities as a “foreign cult” reportedly has been established in the country. In Karachi members of the U.S.-based “Children of God” are rumored to be operating a commune where they practice polygamy. However, during the period covered by this report, there was no evidence that this group existed.

Foreign missionaries operate in the country. The largest Christian mission group operating in Sindh and Baluchistan engages in Bible translation for the Church of Pakistan (a united church of Anglicans, Methodists, Presbyterians, and Lutherans), mostly in tribal areas. An Anglican missionary group fields several missionaries to assist the Church of Pakistan in administrative and educational work. Roman Catholic missionaries, mostly Franciscan, work with persons with disabilities.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The suspended Constitution provided for freedom of religion, and stated that adequate provisions shall be made for minorities to profess and practice their religions freely; however, the Government imposed limits on freedom of religion. The suspended Constitution also provided that there was no taxation for propagation of a religion that is not one's own; no obligation to receive instruction in a religion that is not one's own; and no denial of admission to public schools on the basis of religion. According to the suspended Constitution, the country was an Islamic republic, and Islam was the state religion. Islam also was a core element of the country's national ideology; the country was created to be a homeland for Muslims. Under the suspended Constitution, both the President and the Prime Minister were to be Muslims, and all senior officials were required to swear an oath to preserve the country's "Islamic ideology." Freedom of speech was provided for; however, this right is subject to "reasonable restrictions" that can be imposed "in the interest of the glory of Islam." Actions or speech deemed derogatory to Islam or to its Prophets are not protected. Under the suspended Constitution, the Ahmadi community is defined as non-Muslim because Ahmadis do not believe that Mohammed was the last prophet of Islam; however, most Ahmadis consider themselves Muslims. In 2000 the Government incorporated the Islamic provisions of the suspended Constitution into the Provisional Constitutional Order, including the clause declaring Ahmadis to be non-Muslims.

The suspended Constitution protected religious minorities from being taxed to support the majority religion; no one could be forced to pay taxes for the support of any religion other than his own. For example, Sunni Muslims are subject to the "zakat," a religious tax of 2.5 percent of their income; however, Shi'a Muslims and other religious minorities do not pay the "zakat."

Separate categories exist for different religions in the administration of specific religious sites. Hindus and Sikhs, because of population shifts that occurred between India and Pakistan after partition, come under the auspices of the Evacuee Property Board, which is located in Lahore and is empowered to settle disputes regarding Hindu and Sikh property. However, Hindus and Sikhs also may settle such disputes in civil courts. Christian churches are free to take their disputes over religious property and management to the courts. Some minorities have expressed displeasure over government management of religious property.

In Sindh, Muslim mosques and shrines come under the purview of the Auqaf Administration Department, a branch of the provincial government devoted to the upkeep of shrines and mosques, facilities for pilgrims, and the resolution of disputes over possession of a religious site. In both Sindh and Baluchistan, the Government has provided funds for the upkeep and repair of the Hindu Gurumander temple in Karachi and funded the repair of Hindu temples damaged by Muslim rioters protesting the destruction of the Babri mosque by Hindu mobs in Ayodhya, India, in 1992.

Permission to buy land comes from one municipal bureaucracy, and permission to build a house of worship from another. For all religious groups, the process appears to be subject to bureaucratic delays and requests for bribes.

The suspended Constitution safeguarded "educational institutions with respect to religion." For example, under the suspended Constitution, no student could be forced to receive religious instruction or to participate in religious worship other than his or her own. The denial of religious instruction for students of any religious community or denomination also was prohibited under the suspended Constitution.

"Islamiyyat" (Islamic studies) is compulsory for all Muslim students in state-run schools. Although students of other faiths legally are not required to study Islam, they are not provided with parallel studies in their own religions. In practice teachers compel many non-Muslim students to complete Islamic studies.

The suspended Constitution specifically prohibits discriminatory admission to any governmental educational institution solely on the basis of religion. Government officials state that the only factors affecting admission to governmental educational institutions are students' grades and home provinces. However, students must declare their religion on application forms. Muslim students must declare in writing that they believe in the unqualified finality of the Prophethood of Mohammed; non-Muslims must have their religion verified by the head of their local religious community. Many Ahmadis and Christians reported discrimination in applying to government educational institutions due to their religious affiliation.

Several Muslim religious holidays are considered national holidays, including Eid ul-Fitr, Eid ul-Azha, Muharram (Shi'a), and the Prophet Mohammed's Birthday. Most businesses have limited hours during the month of Ramadan.

On June 19, 2002, the Government announced the Madrassah Registration Ordinance of 2002, which went into effect immediately. Under the ordinance, all madrassahs (religious schools) were required to register with the Pakistan madrassah Education Board and provincial boards. Madrassahs failing to do so may be fined or closed. The madrassahs no longer are allowed to accept grants or foreign aid from foreign sources, although madrassahs offering courses in science, math, Urdu, and English are eligible for government funds. Foreign madrassah students are to be required to obtain no objection certificates. Madrassahs were given 6 months to comply. The ordinance was designed to regulate the madrassahs, where many poor children are educated, and combat religious extremism.

In December 1999, the Supreme Court ruled that all forms of interest (riba) are un-Islamic and directed the Government to implement an interest-free banking and financial system by June. In June 2001, the Shari'a Appellate Bench of the Supreme Court extended for 1 year the deadline for implementation of this judgment. However, on June 24, 2002, the Supreme Court vacated the earlier decision and remanded the case to the Federal Shariat Court for reconsideration.

#### *Restrictions on Religious Freedom*

The Government does not ban formally the public practice of the Ahmadi religion, but the practice of the Ahmadi faith is restricted severely by law. A 1974 constitutional amendment declared Ahmadis to be a non-Muslim minority because, according to the Government, they do not accept Mohammed as the last Prophet of Islam. However, Ahmadis consider themselves to be Muslims and observe Islamic practices. In 1984, the Government added Section 298(c) into the Penal Code, prohibiting Ahmadis from calling themselves Muslim or posing as Muslims; from referring to their faith as Islam; from preaching or propagating their faith; from inviting others to accept the Ahmadi faith; and from insulting the religious feelings of Muslims. This section of the Penal Code has caused problems for Ahmadis, particularly the provision that forbids them from "directly or indirectly" posing as Muslims. This vague wording has enabled mainstream Muslim religious leaders to bring charges against Ahmadis for using the standard Muslim greeting form and for naming their children Mohammed. The constitutionality of Section 286(c) was upheld in a split-decision Supreme Court case in 1996. The punishment for violation of this section is imprisonment for up to 3 years and a fine. This provision has been used extensively by the Government and anti-Ahmadi religious groups to target and harass Ahmadis. Ahmadis also are prohibited from holding any conferences or gatherings.

The suspended Constitution provides for the "freedom to manage religious institutions." In principle the Government does not restrict organized religions from establishing places of worship and training members of the clergy. However, in practice Ahmadis suffer from restrictions on this right. Several Ahmadi mosques reportedly have been closed; others reportedly have been desecrated. Ahmadis also are prohibited from being buried in Muslim cemeteries.

Missionaries are allowed to operate in the country. Proselytizing (except by Ahmadis) is permitted as long as there is no preaching against Islam and the missionaries acknowledge they are not Muslim. However, all missionaries are required to have specific missionary visas, which have a validity of 2 to 5 years and allow only one entry into the country per year. These visas carry the annotation "missionary." Only "replacement" visas for those taking the place of departing missionaries are available, and long delays and bureaucratic problems are frequent.

There have been press reports that the authorities are conducting surveillance on the Ahmadis and their institutions.

The blasphemy laws refer to Sections 295, 296, 297, and 298 of the Penal Code and address offenses relating to religion. Section 295(a), a colonial-era provision, originally stipulated a maximum 2-year sentence for insulting the religion of any class of citizens. In 1991 this sentence was increased to 10 years. In 1982 Section 295(b) was added, which stipulated a sentence of life imprisonment for "whoever willfully defiles, damages, or desecrates a copy of the holy Koran." In 1986 during the martial law period, another amendment, Section 295(c), established the death penalty or life imprisonment for directly or indirectly defiling "the sacred name of the Holy Prophet Mohammed." In 1991 a court ruled invalid the option of life imprisonment for this offense. Section 296 outlaws voluntary disturbances of religious assemblies, and Section 297 outlaws trespassing on burial grounds. Section 298(a), another colonial-era provision, forbids the use of derogatory remarks about holy personages. Personal rivals and the authorities have used these blasphemy laws, especially Section 295(c), to threaten, punish, or intimidate Ahmadis, Christians, and even orthodox Muslims. No person has been executed by the State under any of these provisions; however, some persons have been sentenced to death, and religious extremists have killed persons accused under the provisions. The blasphemy laws

also have been used to “settle scores” unrelated to religious activity, such as intrafamily or property disputes.

President Musharraf has not modified the blasphemy laws since his attempt to reform them in April 2000. The attempted reform would have required complainants to register new blasphemy cases with the local deputy commissioners instead of with police officials, to reduce the number of persons who are accused wrongly under the laws. Religious and sectarian groups mounted large-scale protests against the proposed change and some religious leaders stated that if the laws were changed, even just procedurally, persons would be justified in killing blasphemers themselves. In May 2000, in response to increasing pressure and threats, Musharraf abandoned the proposed reforms to the blasphemy laws.

When blasphemy and other religious cases are brought to court, extremists often pack the courtroom and make public threats against an acquittal. As a result, judges and magistrates, seeking to avoid a confrontation with or violence from extremists, often continue trials indefinitely. As a result, those accused of blasphemy often face lengthy periods in jail and are burdened with increased legal costs and repeated court appearances.

Under the Anti-Terrorist Act, any act, including speech, intended to stir up religious hatred is punishable by up to 7 years of rigorous imprisonment. In the anti-terrorist courts, cases were to be decided within 7 working days, and trials in absentia were permitted. Appeals to an appellate authority were required to occur within 7 days, but appellate authority since has been restored to the high courts and the Supreme Court. Under the act, bail is not to be granted if the judge has reasonable grounds to believe that the accused is guilty.

The Government does not restrict religious publishing; however, the Government restricts the right to freedom of speech with regard to religion. Speaking in opposition to Islam and publishing an attack on Islam or its prophets are prohibited. The penal code mandates the death sentence for anyone defiling the name of the Prophet Mohammed, life imprisonment for desecrating the Koran, and up to 10 years’ imprisonment for insulting another’s religious beliefs with intent to outrage religious feelings. Although prosecutions for publishing appear to be few, the threat of the blasphemy law is ever present. There were 80 blasphemy cases pending throughout the country during the period covered by this report.

Government authorities closed down a leading provincial newspaper, the Frontier Post, and placed five of its employees under protective custody in late January 2001, following the publication of a letter to the editor that contained comments that were critical of Islam. Two employees of the Frontier Post remained in custody at the end of the period covered by this report. Government law enforcement officials failed to prevent a mob from setting fire to the Frontier Post printing presses on January 30, 2001. Security officials did not arrest any of the participants in the mob violence.

On June 4, 2001, government authorities in Abbotabad, NWFP, sealed the office and printing press of Mahaasaib, a local daily newspaper, and arrested the resident editor, shift manager, and subeditor. The authorities accused the newspaper of committing blasphemy because it published an article that argued that Islam does not require men to grow beards. The Governor of the NWFP reportedly asked the local administration to reverse its decision; however, the local administration denied the request, stating that it did not wish to provoke social unrest. The staff members remained in custody, and the office still was closed, at the end of the period covered by this report. There were no new developments in this case.

Ahmadis charge that they suffer from restrictions on their press. Christian scriptures and books are available in Karachi and in traveling bookmobiles. However, in recent years, the owner of a Christian bookshop in Karachi has reported frequent questioning by local Muslim religious leaders and occasional questioning by the police. Such questioning may lead to self-censorship among Christians. Hindu and Parsi scriptures are freely available. Foreign books and magazines may be imported freely, but are subject to censorship for objectionable religious content.

There have been press reports that the authorities are conducting surveillance on the Ahmadis and their institutions.

The Government restricts the distribution and display of certain religious images such as the Holy Trinity and Jesus Christ.

The Government designates religion on citizens’ passports. To obtain a passport, citizens must declare whether they are Muslim or non-Muslim; Muslims also must affirm that they accept the unqualified finality of the Prophethood of Mohammed, declare that Ahmadis are non-Muslims, and specifically denounce the founder of the Ahmadi movement. Under increasing pressure from fundamentalist leaders, in May 2002, the Government reinstated a column on the voter registration form that requires Muslims to make an oath accepting the finality of the Prophethood of Mohammed. When joint electorates were restored in January 2002, this oath was re-

moved from voter registration forms, but religious leaders protested heavily because it no longer identified Ahmadis on the voter lists. The Election Commission in June 2001 announced that it would accept objections to Ahmadis who registered to vote as Muslims from members of the public. Voters with objections filed against them are required either to sign an oath swearing to the finality of the prophethood of Mohammed or be registered as non-Muslims on the voter list.

Links with coreligionists in other countries are maintained relatively easily. The Roman Catholic Church and the Church of Pakistan report no difficulties. Ismailis are in regular contact with their headquarters, and their officials, including Prince Karim Aga Khan, visit the country regularly. Under reciprocal visa arrangements, Indian Hindu and Sikh leaders and groups travel regularly to the country. However, the Government prohibits Ahmadis from participating in the Hajj (the Muslim pilgrimage to Mecca, Saudi Arabia) and Baha'is from traveling to their spiritual center in Israel.

The authorities sometimes prevent leaders of politico-religious parties from traveling to certain areas if they believe that the presence of such leaders would increase sectarian tensions or cause public violence. During the period covered by this report, religious party leaders from the Jamaat-e-Islami and Jammāt-Ulema-Islamia remained under house arrest for several months during the winter and spring of 2001 and 2002, following threats that they would lead protests and riots against the Government's crackdown on jihadi organizations.

In January 2002, the Government eliminated the separate electorate system. Separate electorates had been a longstanding point of contention between religious minorities and human rights groups on the one side and the Government on the other. With the elimination of the separate electorate system, political representation is to be based on geographic constituencies that represent all residents regardless of religious affiliation. Minority group leaders believe this change may help to make public officials take notice of the concerns and rights of minority groups. Because of their concentrated populations, religious minorities could have significant influence as swing voting blocks in some constituencies. Few non-Muslims are active in the country's mainstream political parties due to limitations on their ability to run for elective office under the previous separate electorate system.

However, the return of joint electorates eliminated parliamentary and assembly seats reserved for minorities. Some minority leaders complained that these seats should have been retained after the joint electorate system was eliminated. While minorities welcome the opportunity to be able to elect local representatives to the national and provincial assemblies, it is unlikely that any of the future elected officials will come from minority groups; having reserved seats for the minorities would do more to increase their presence in law-making bodies.

Civil marriages do not exist; marriages are performed and registered according to one's religion. Upon conversion to Islam, the marriages of Jewish or Christian men remain legal; however, upon conversion to Islam, the marriages of Jewish or Christian women, or of other non-Muslims that were performed under the rites of the previous religion, are considered dissolved. Children born to Jewish or Christian women who convert to Islam after marriage are considered illegitimate only if their husbands do not also convert, and if women in such cases do not separate from their husbands. Children of non-Muslims men who convert are not considered illegitimate.

Members of minority religions volunteer for military service in small numbers, and there are no official obstacles to their advancement. However, in practice non-Muslims do not rise above the rank of major general and are not assigned to politically sensitive positions. Ahmadis report severe discrimination in the civil service; they complain that a "glass ceiling" prevents them from being promoted to top positions and that certain government departments have refused to hire or retain qualified Ahmadis.

The Government nationalized all church schools and colleges in Punjab and Sindh in 1972. The government of Sindh gradually denationalized church schools (without providing compensation) from 1985 to 1995. The government of Punjab devised a plan to denationalize schools and return them to their original owners in 1996. In Punjab several schools belonging to the Presbyterian Church, U.S.A. (PCUSA), were denationalized and returned to the former owners in 1998. However, the notification was withdrawn in 1999. In November 2001, the government of Punjab notified PCUSA of the denationalization of six schools. The Church gained possession of three of the schools, but a group of teachers filed a case in civil court challenging the denationalization, obtained stay orders against the PCUSA, and took possession of the other three. The case still was pending, although the government of Punjab considers the matter settled.

The Ministry of Religious Affairs, entrusted with safeguarding religious freedom, has on its masthead a Koranic verse: "Islam is the only religion acceptable to God." The Ministry claims it spends 30 percent of its annual budget to assist indigent minorities, to repair minority places of worship, to set up minority-run small development schemes, and to celebrate minority festivals. However, religious minorities question its expenditures, observing that localities and villages housing minority citizens go without basic civic amenities. The Bishops' Conference of the National Commission for Justice and Peace (NCJP), using official budget figures for expenditures in 1998, calculated that the Government actually spent \$17 (PRs 850) on each Muslim and only \$3.20 (PRs 16) on each religious minority citizen per month.

Religious minorities are afforded fewer legal protections than Muslim citizens. Government policies do not afford equal protection to members of majority and minority faiths. For example, all citizens, regardless of their religious affiliation, are subject to certain provisions of Shari'a. The judicial system encompasses several different court systems with overlapping and sometimes competing jurisdictions, which reflect differences in civil, criminal, and Islamic jurisprudence. The federal Shari'a court and the Shari'a bench of the Supreme Court serve as appellate courts for certain convictions in criminal court under the Hudood Ordinances, and judges and attorneys in these courts must be Muslims. The federal Shari'a court also may overturn any legislation judged to be inconsistent with the tenets of Islam. In the Malakand division and the Kohistan district of the NWFP, ordinances require that "all cases, suits, inquiries, matters, and proceedings in the courts shall be decided in accordance with Shari'a." These ordinances define Shari'a as the injunctions found in both the Koran and the Sunna (tradition) of the Prophet Mohammed. Islamic law judges, with the assistance of the Ulema (Islamic scholars), under the general supervision of the Peshawar High Court, try all court cases in the Malakand Division and the Kohistan District. Elsewhere in the country, partial provisions of Shari'a apply.

The martial law-era Hudood Ordinances criminalize non marital rape, extramarital sex, and various gambling, alcohol, and property offenses. The Hudood Ordinances reportedly are based on the Government's interpretation of Islamic principles and are applied to Muslims and non-Muslims alike. Some Hudood Ordinance cases are subject to Hadd, or Koranic, punishment; others are subject to Tazir, or secular, punishment. Although both types of cases are tried in ordinary criminal courts, special rules of evidence apply in Hadd cases, which discriminate against

non-Muslims. For example, a non-Muslim may testify only if the victim also is non-Muslim. Likewise, the testimony of women, Muslim or non-Muslim, is not admissible in cases involving Hadd punishments. Therefore, if a Muslim man rapes a Muslim woman in the presence of women or non-Muslim men, he cannot be convicted under the Hudood Ordinances.

For both Muslims and non-Muslims, all consensual extramarital sexual relations are considered a violation of the Hudood Ordinances; if a woman cannot prove the absence of consent in a rape case, there is a risk that she may be charged with a violation of the Hudood Ordinances for fornication or adultery. The maximum punishment for this offense is public flogging or stoning; however, there are no recorded instances of either type of punishment since the 1980s. According to a police official, in a majority of rape cases, the victims are pressured to drop rape charges because of the threat of Hudood adultery charges being brought against them. In March 2002, Zafran Bibi was sentenced to death for a violation of the Hudood Ordinances, in a case that drew national and international attention to the Hadood ordinances. Bibi filed rape charges against her brother-in-law, but when a medical exam indicated that she already was pregnant at the time of the alleged rape, her father-in-law then accused her of adultery with another person as a way to settle an old rivalry and protect his son. A lower Shari'a court convicted her of adultery and sentenced her to death by stoning. When Bibi's husband claimed to be the father of the child she carried, refuting the charge of adultery, the Federal Shariat bench overturned the verdict and acquitted Bibi. A Parliamentary Commission of Inquiry for Women has criticized the Hudood Ordinances and recommended their repeal. The Commission also stated that the laws on adultery and rape have been subject to widespread misuse, and that 95 percent of the women accused of adultery are found innocent in the court of first instance or on appeal. However, the Commission pointed out that, by that time, the woman may have spent months in jail, suffered sexual abuse at the hands of the police, and seen her reputation destroyed. The Commission found that the main victims of the Hudood Ordinances are poor women who are unable to defend themselves against slanderous charges. According to the Commission, the laws also have been used by husbands and other male family members to punish their wives and female family members for reasons that have nothing to do with perceived sexual impropriety. Approximately one-third or more of the

women in the jails in Lahore, Peshawar, and Mardan in 1998 were awaiting trial for adultery under the Hudood Ordinances. The Human Rights Commission of Pakistan stated that this ratio remained unchanged during 2001. However, no Hadd punishment has been imposed since the Hudood Ordinances went into effect.

Human rights monitors and women's groups believe that a narrow interpretation of Shari'a has had a harmful effect on the rights of women and minorities, as it reinforces popular attitudes and perceptions and contributes to an atmosphere in which discriminatory treatment of women and non-Muslims is accepted more readily. Some Islamic scholars also stated privately that the Hudood Ordinances are a misapplication of Shari'a.

*Abuses of Religious Freedom*

Police torture and other forms of mistreatment of persons in custody are common. However, there were no confirmed reports of torture of prisoners or detainees because of their religious beliefs during the period covered by this report.

There have been instances in which police have used excessive force against individuals because of their religious beliefs and practices; however, it sometimes is difficult to determine whether or not religious affiliation is a factor in police brutality. The police also have failed to act against persons who use force against other individuals because of their religious beliefs (see Section II). The Government admits that police brutality against all citizens is a problem. However, both the Christian and Ahmadi communities have documented instances of the use of excessive force by the police and police inaction to prevent violent and often lethal attacks on members of their communities. For example, both the Christian and Ahmadi communities claim that in the past persons were killed because of their religious beliefs; however, there were no such allegations during the period covered by this report.

The law regulates arrest and detention procedures; however, the authorities do not always comply with the law, and police arbitrarily arrest and detain citizens. Violence in Punjab has prompted the Government on several occasions to round up hundreds of members of religious extremist groups and students at madrassahs believed to be terrorist recruiting centers and training grounds. The police also arrest demonstrators, including members of religious minorities. For example, on January 16, 2001, security personnel arrested 16 Muslim, Christian, and Hindu protesters from the All Faiths' Spiritual Movement International during a demonstration protesting the country's blasphemy laws. Several participants in the demonstration threw stones and ignored police orders to disperse peacefully. No formal charges were filed, and all of those arrested were released after several days.

There were scattered reports that authorities interrogated persons due to their religious beliefs or practices.

Prison conditions, except for the "class A" facilities provided to wealthy and politically high profile prisoners, are extremely poor and constitute a threat to the life and health of prisoners. According to the NCJP and the Center for Legal Aid, Assistance, and Settlement (CLAAS), non-Muslim prisoners do not enjoy the same facilities as Muslim inmates.

Blasphemy laws often target members of the Ahmadi community or other Muslims. According to Ahmadi sources, 70 Ahmadis were charged formally in criminal cases on a "religious basis" (including blasphemy) in 2001, compared to 166 cases in 2000 and 80 cases in 1999. In March 2002, a foreign Ahmadi of Pakistani origin was arrested, tried, and acquitted of publishing blasphemous pamphlets. In April 29, 2001, four Ahmadis, including Abdul Majeed, president of the local Ahmadi community, were charged with blasphemy for constructing minarets and the Mihrab of an Ahmadi mosque. During the period covered by this report, there was no further information regarding Ghaffar Ahmad and Nasir Ahmad. On May 12, 2001, the court rejected the bail application for Pervaiz Masih, and his case was pending at the end of the period covered by this report.

In December 1999, several hundred persons looted and burned property in Haveli Lakha, Okara district, Punjab, which belonged to Mohammad Nawaz, a local Ahmadi leader accused of planning to build an Ahmadi house of worship. A neighbor reportedly incited the incident by accusing Nawaz of building the house of worship after the two were involved in a property dispute. Nawaz, a doctor, reportedly intended to build a free clinic next to his home. The mob looted and burned Nawaz's home. According to Ahmadi sources, police personnel arrived at the scene but did nothing to stop the crowd. As of the end of the period covered by this report, neither the neighbor nor anyone in the crowd had been arrested or questioned in connection with the incident, and police had not taken steps to find or return any of Nawaz's property. However, Nawaz and his two sons were arrested and charged with blasphemy. They were released on bail several days later; however, the blasphemy case against them was pending at the end of the period covered by this report. Three

other Ahmadis in Haveli Lakha also were charged with blasphemy in connection with the incident despite being out of town at the time.

The blasphemy laws also are used to harass Christians; A number of cases have lingered for years. On April 1, 2001, police registered a blasphemy case against Pervez Masih, a Christian who ran a private school in Sialkot district, Punjab. According to CLAAS, the Sunni Muslim owner of another private school charged Masih with blasphemy because he was jealous of Masih's success in attracting both Muslim and non-Muslim students. However, according to the press reports, Pervez Masih was charged because he answered a student's questions about Mohammed's life. Masih remained in custody at the end of the period covered by this report. In May 2000, a lower court in Sialkot district, Punjab, sentenced two Christian brothers to 35 years' imprisonment each and fined both of them \$1,500 (PRs 75,000). The brothers were convicted of desecrating the Koran and blaspheming against the Prophet Mohammed. The Lahore High court was scheduled to hear their appeal in June 2002; however, the appeal was not heard during the period covered by this report. On May 2, 2000, Augustine Ashiq Masih was charged with blaspheming against the Prophet in Faisalabad; he remained in custody at the end of the period covered by this report. Ayub Masih (detained since 1996) was convicted of blasphemy for making favorable comments about Salman Rushdie, the author of the controversial book "The Satanic Verses," and was sentenced to death in April 1998; his appeal was scheduled to be heard by the Supreme Court in October 2002.

Police also arrested Muslims under the blasphemy laws; government officials maintain that approximately three-quarters of the total number of blasphemy cases that have been brought to trial involved Muslims. Often the cases are drawn out, with a very lengthy appeal process. In September 1998, a Shi'a Muslim, Ghulam Akbar, was convicted of blasphemy in Rahimyar Khan, Punjab, for allegedly making derogatory remarks about the Prophet Mohammed in 1995, and he was sentenced to death. Akbar's death sentence was the first such sentence for a Muslim for a violation of the blasphemy law. The case was pending at the end of the period covered by this report. In October 2001, a Sunni Muslim, Dr. Younis Shaikh, was sentenced to death for blasphemy in Rawalpindi, Punjab, reportedly for stating in front of his students at Capital Homeopathic College in Rawalpindi that the Prophet Mohammed's first marriage was not conducted according to Islamic law and custom. His appeal was pending at the end of the period covered by this report.

No estimate of the number of religious detainees exists; however, the Government has arrested and detained numerous Muslims and non-Muslims for their religious beliefs and practices under the blasphemy and anti-Ahmadi laws. The blasphemy laws were meant to protect both majority and minority faiths from discrimination or abuse; however, in practice these laws frequently are used by rivals and the authorities to threaten, punish, or intimidate religious minorities. Credible sources estimate that several hundred persons have been arrested since the laws were implemented; however, significantly fewer persons have been tried. Most of the several hundred persons arrested since 1989 have been released due to a lack of sufficient evidence. However, many judges reportedly handed down guilty verdicts to protect themselves and their families from retaliation by religious extremists. Many judges also repeatedly postpone action in certain blasphemy cases in response to religious extremists; the result of this practice is that accused blasphemers remain in prison for extended periods of time. According to the NCJP, religious minorities constitute a proportionally greater percentage of the prison population. Government officials state that although religious minorities account for approximately 5 percent of the country's population, 25 percent of the cases filed under the blasphemy laws are aimed at religious minorities. Yusuf Ali, who had been convicted of blasphemy and sentenced to death in August 2000, was shot and killed in the Lahore Central Jail by another inmate on June 11, 2002. The prisoner who killed Ali was a member of the banned Muslim extremist group Sipah-e-Sahaba Pakistan. Some jail officials were arrested in connection with the incident, including an Assistant Superintendent (who reportedly took responsibility for the shooting and stepped down). At the end of the period covered by this report, the shooting still was under investigation by the authorities.

The Government has taken steps to curb religious extremism and militancy, with mixed results. In August 2001, the Government banned two groups known for sectarian violence, the Lashkar-e-Jangvi and Sipah-e-Mohammad Pakistan, and ordered their offices closed. During the following week, the Government arrested several hundred activists belonging to two larger sectarian organizations, the Sipah-e-Sahaba Pakistan and the Tehrik-e-Jafria Pakistan. On August 20, the Sindh provincial government announced a ban on fundraising activities by certain militant religious groups. On August 22, the police raided more than 50 offices, mosques, and madrassahs in Karachi in connection with the ban. More than 250 persons were de-

tained temporarily in the raids. On January 12, 2002, the Government banned another four groups suspected of inciting religious violence and jihad: Jaish-e-Mohammed, Lashkar-e-Taiba, Sipah-e-Sahaba Pakistan, and Tehrik-e-Jafria. Hundreds of local and national offices were closed, and almost 2,000 members of these groups were arrested in the weeks following the January announcement. Most detainees were low-level organization members who were released after 90 days without being charged. Rumors persist that higher level party leaders enjoyed the protection and patronage of government agencies, and avoided arrest by going underground. In late June 2002, the authorities in Lahore arrested at least 30 members of 2 of the banned groups. By the end of the period covered by this report, the Government had accelerated its crackdown against members of several extremist groups.

The Punjab government ordered a crackdown on extremists in early October 1999; as a result several hundred persons were arrested, including the leader of the SSP, Maulana Mohammad Azam Tariq, and SSP branch president Maulana Mohammad Ahmad Ludhianvi. Tariq was released after a year of imprisonment; however, he was arrested again in February 2001 and remained in detention at the end of the period covered by this report.

Following the killings of four Sunni clerics on January 28, 2001, Sunni Muslim students participated in violent demonstrations and arson attacks in Karachi (see Section III). The Government dispatched police, paramilitary, and military forces to disperse the demonstrations, and several students and police officers were injured. Following a wave of sectarian killings between Sunni and Shi'a Muslims (see Section III), the Government arrested between 150 and 250 alleged Sunni and Shi'a militants in Karachi. Government officials stated that the arrests and a public call for religious leaders to enforce a code of conduct resulted in a reduction of such killings during the traditionally violent period of Muharram.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Religious minorities state that members of their communities, especially minors, sometimes are pressured by private groups and individuals to convert to Islam.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

The Government took some specific steps to improve the situation of religious minorities during the period covered by this report. In January 2002, the Government eliminated the separate electorate system. The Government also continued to promote human rights awareness in its training of police officers.

### SECTION III. SOCIETAL ATTITUDES

Many religious and community leaders, both Muslim and non-Muslim, reported that a small minority of extremists account for the vast majority of violent acts against religious minorities. However, discriminatory religious legislation has encouraged an atmosphere of religious intolerance, which has led to acts of violence directed against Ahmadis, Christians, Hindus, and Zikris. Members of religious minorities are subject to violence and harassment, and police at times refuse to prevent such abuses or charge persons who commit them (see Section II). Most victims of religious violence in the country are Shi'a Muslims. Wealthy religious minorities and those who belong to religious groups that do not seek converts report fewer instances of discrimination.

Sectarian violence and tensions continued to be a serious problem throughout the country. More than 300 persons died in incidents of sectarian violence in Punjab in the last 4 years, according to one credible newspaper report. Despite the Government's ban on groups involved in sectarian killings, violence between rival Sunni and Shi'a Muslim groups continued during the period covered by this report. Many of the victims were Shi'a professionals—doctors and lawyers—who were not politically active or involved with sectarian groups. During the period covered by this report, at least 53 cases of sectarian violence occurred in the country, most carried out by unidentified gunmen.

On August 14, 2001, unidentified motorcycle riders shot and killed Rizwan Shah, an activist, in the Harkatuk Ansar. On August 27, 2001, two men killed District Superintendent of Police Syed Kausar Abbas Gilani as he jogged in Bahawalpur stadium. On August 28, 2001, unidentified assailants shot and killed Abid Abbas Naqzi, a subdivisional officer in Baluchistan's building and roads department. On September 1, 2001, Syed Hamid Ali Rizvi, the father of a television executive, was ambushed and killed in Karachi. On September 4, 2001, gunmen motorcyclists shot and killed Ali Hussain Naqvi, a prayer leader at a Karachi Shi'a mosque. On Sep-

tember 10, 2001, senior bureaucrat Altaf Hussain Bangash was shot and killed in Karachi, 2 years after his father-in-law and brother-in-law were killed in the same manner. On September 11, 2001, Allama Razi Haider and his 11-year-old son were killed in their car in Karachi. On September 13, 2001, three were killed and four persons were injured when unidentified gunmen opened fire on a religious gathering in Azizabad. The same day, Professor Atiq Hasan Naqvi of Balochistan University in Quetta was injured and his son was killed in an ambush. On September 25, 2001, unidentified gunman killed Karachi industrialist Abdul Razzaq. There were no new developments in the cases of Sheikhul Hadih Maulana, Saleem Qadri, and Kausar Abbas Shah Gillani.

On October 3, 2001, gunmen killed Dr. Jameeluddin and injured nurse Nighat Seema in Karachi. The next day, three assailants killed six worshippers and injured eight others at the Ali-Murtaza Shi'a mosque in Karachi. On October 6, 2001, four persons were killed and nine others were injured when gunmen on a motorcycle fired at persons leaving a madrassah. On October 9, 2001, Jamiat Ahle Hadith leader Maulana Abdul Ghafoor was shot and killed while returning from prayers. The same day, Syed Gul Iman Shah, principal of a technical college, was killed in front of the school in Karachi. On October 10, 2001, two motorcycle riders killed Hasan Zaidi, grandson of noted scholar Syed Salman Nadvi and chairman of the Sindh board of technical education. On October 15, 2001, two more motorcycle riders killed two police constables guarding a Shi'a mosque. On October 17, 2001, police constable Syed Didar Hussain Shah was shot and killed outside the residence of a district judge. On October 19, 2001, Tehrik-e-Jafria Pakistan (TJP) leader Allama Nazir Ahmed Abbas was shot and killed in his shop in Vehari. One hour earlier, a mob killed the uncle of a former National Assembly member.

On November 10, 2001, gunmen ambushed and killed Advocate Ashiq Ali Abdullah in Karachi. The next day, four assailants killed a TJP leader's cousin in Lahore. The day after, another TJP activist was shot and killed in Karachi. On November 15, 2001, Syed Hasan Abidi, general finance manager at Abbas Dying, was attacked and killed in his car in Karachi. On November 22, 2001, Dr. Ghulam Ali Sheikh, chief medical officer at the Hyderabad central prison, died 10 days after being shot in the head. On November 28, 2001, gunmen shot and killed a leading Karachi fruit exporter. On December 21, 2001, Ehteshamuddin Haider, elder brother of Interior Minister Haider, was shot and killed in Karachi. On December 31, 2001, Nazir Hussain, a local Shi'a activist, was killed in Dera Ismail Khan. On January 9, 2002, Syed Hassan Ali Rizvi was shot and killed by two motorcyclists in Karachi. On January 28, 2002, one person was killed and two others were injured when motorcycle gunmen opened fire on a policeman. On January 29, 2002, Syed Jawwad Ali, a retired insurance company officer, was killed in Karachi. On February 4, 2002, Jhang Police Inspector Mohammad Jamil was killed after conducting several successful operations against the Lashkar-e-Jhangvi. The same day, Dr. Fayyaz Karim was shot and killed outside a mosque in Karachi. On February 12, 2002, Dr. Rashid Mehdi was shot and killed in a Karachi hospital parking lot. On February 26, 2002, 11 persons were killed and 16 others were injured when 3 militants opened fire on a Shi'a mosque in Khayaban-e-Sirsyed. On March 4, 2002, noted urologist Dr. Aale Safdar was killed in Karachi. In May 2002, masked gunmen killed well-known moderate Sunni scholar Ghulam Mustafa Malik, his driver, and a police officer who pursued the assailants. On April 26, 2002, in Bukker, Punjab province, 12 women were killed and many others were injured when a bomb exploded in the women's section of a Shi'a mosque. On June 17, 2002, unknown gunmen shot and killed three Shi'a men outside of a Shi'a mosque, who was opposed by the Sunni extremist groups Lash-Kar-e Jhangvi and Singh Sahaba Pakistan.

Sectarian violence between members of different religious groups received national attention in the period covered by this report and continued to be a serious problem. Ahmadis, Christians, and other religious minorities often were the targets of such violence.

Ahmadi individuals and institutions long have been victims of religious violence, much of which is instigated by organized religious extremists. Ahmadi leaders charge that militant Sunni mullahs and their followers sometimes stage marches through the streets of Rabwah, a predominantly Ahmadi town and spiritual center in central Punjab. Backed by crowds of between 100 and 200 persons, the mullahs reportedly denounce Ahmadis and their founder, a situation that sometimes leads to violence. The Ahmadis claim that police generally are present during these marches but do not intervene to prevent trouble. In August 2001, a mob destroyed an Ahmadi mosque in Shekihpura; authorities did not stop the violence and later arrested 28 Ahmadis in connection with civil disorder. In July 2001, Sheikh Nazir Ahmed, an Ahmadi leader in Faisalabad, was killed. On September 14, 2001, Noor Ahmed and his son Tahir were killed and two others were injured in an armed at-

tack on their house in Narowal. In October 2001, Ahmadi Ejaz Ahmed Basra and his son Shahjehan were shot and killed in Ghatilalian. Basra had provided evidence in a trial against several men accused of killing five Ahmadis the previous year, and the shooting was thought to be in retaliation for his testimony. In January 2002, Ghulam Mustafa Mohsin, an Ahmadi who had received previous death threats, was killed in his home in District Toba Tek Singh. Ahmadi activists maintain a list of more than 20 other cases involving harassment during the period of this report.

Christians also have been victims of violence. In October 2001, masked gunmen opened fire at the St. Dominic church in Bahawalpur, killing 11 persons and injuring more than a dozen worshippers. Authorities still were investigating the case at the end of the period covered by this report. Officially, three members of an extremist group thought to be responsible for the Bahawalpur incident were killed in a "police encounter." Authorities also detained three others in relation to the church killings. In March 2002, an attack on a church in Islamabad left five persons dead, including two foreign nationals. During the period covered by this report, police made no arrests in connection with past sectarian killings. Numerous such killings remain unresolved.

Ahmadis suffer from societal harassment and discrimination. Even the rumor that someone may be an Ahmadi or have Ahmadi relatives can stifle opportunities for employment or promotion. Most Ahmadis are home-schooled or go to private Ahmadi-run schools. Those Ahmadi students in public schools often are subject to abuse by their non-Ahmadi classmates. The quality of teachers assigned to predominantly Ahmadi schools by the Government reportedly is poor. In late May, in response to a question from Islamic clerics, President Musharraf denounced Ahmadis as "non-Muslims."

While many Christians belong to the poorest socioeconomic groups, this may be due more to ethnic and social factors than to religion. These factors also may account for a substantial measure of the discrimination that poor Christians face. In Karachi the majority of Roman Catholics are Goan Christians, or descendants of Eurasian marriages. They often are light-skinned and are relatively well educated and prosperous, in sharp contrast to their coreligionists (mostly members of evangelical denominations), who often are dark-skinned and poorly educated. Many poor Christians remain in the profession of their low caste Hindu ancestors (most of whom were "untouchables"). Their position in society, though somewhat better today than in the past, does not reflect any major progress despite more than 100 years of consistent missionary aid and development. Christian students reportedly are forced to eat at separate tables in public schools that are predominately Muslim.

Ismailis report that they are the object of resentment of Sunni Muslims due to the comparative economic advances they have made. Ismailis have not been harassed by the Government nor have they been targeted by extremist groups; however, they report that they frequently are pressured to adopt certain practices of conservative Muslims or risk being ostracized socially.

Although there are few if any citizens who are Jewish, anti-Semitic sentiments appear to be widespread, and anti-Semitic and anti-Zionist press articles are common.

Shikharis generally are ostracized by other Muslims, primarily because of their eating habits.

Some Sunni Muslim groups publish literature calling for violence against Ahmadis and Shi'a Muslims. Some newspapers frequently publish articles that contain derogatory references to religious minorities, especially Ahmadis and Hindus.

Persons who have been accused under the blasphemy laws (see Section II), including those acquitted of the charges against them, often face societal discrimination.

Proselytizing generally is considered socially inappropriate among Muslims; missionaries face some difficulties due to this perception. For example, some Sunni Muslim groups oppose missionary activities and have at times issued verbal threats against missionaries in order to discourage them from working.

While there is no law instituting the death penalty for apostates (those who convert from Islam) as required by the Koran, social pressure against such an action is so powerful that most such conversions reportedly take place in secret. In one high-profile case in 2001, a movie actress from Karachi converted to Christianity from Islam without penalty. However, according to missionaries, police and other local officials harass villagers and members of the poorer classes who convert. Reprisals and threats of reprisals against suspected converts are common.

Discrimination in employment based on religion is believed to be widespread. Christians in particular have difficulty finding jobs other than those involving menial labor, although Christian activists say that the employment situation has improved somewhat in the private sector in recent years. Christians and Hindus also find themselves disproportionately represented in the country's most oppressed so-

cial group, bonded laborers. Illegal bonded labor is widespread. Agriculture, brick-kiln, and domestic workers often are kept virtually as slaves. According to the NCJP, the majority of bonded labor in those sectors is non-Muslim. All are subject to the same conditions, whether they are Muslim, Christian, or Hindu. In 1999 the Government removed colonial-era entries for sect from government job application forms to prevent discrimination in hiring. However, the faith of some, particularly of Christians, often can be ascertained from their names.

There are a number of NGO's and civic groups that promote interfaith dialog.

There have been no reported updates to the 1998 bombing of St. Patrick's Cathedral in Karachi or the 1999 killing of 9 persons in Nowshera during the period covered by this report.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discussed religious freedom with the Government in the context of its overall dialog and policy of promoting human rights. U.S. representatives maintained regular contacts with major Muslim and minority religious groups. Embassy officers also maintained a dialog with government, religious, and minority community representatives to encourage religious freedom and to discuss problems. Embassy officers closely monitored the status of religious freedom and acted when appropriate. The Embassy also has assisted local and international human rights organizations to follow up on specific cases involving religious minorities.

### SRI LANKA

The Constitution accords Buddhism the "foremost place," but it is not recognized as the state religion. The Constitution also provides for the right of members of other faiths to practice their religion freely, and the Government generally respects this right in practice.

During the period covered by this report, the status of respect for religious freedom improved due to the ongoing peace process between the Government and the Liberation Tigers of Tamil Eelam (LTTE). As a result of the February 2002 ceasefire accord, government security forces vacated Hindu religious properties in the north and east, although there were some complaints by Tamils as of mid-May that some Hindu properties still were occupied. After June 20, the LTTE allowed increased access to the religious sites in areas under its control.

Despite generally amicable relations among persons of different faiths, there has been occasional resistance by Buddhists to Christian church activity, and in particular to the activities of evangelical Christian denominations. While the courts generally have upheld the right of evangelical Christian groups to worship and to construct facilities to house their congregations, the Government limits the number of foreign religious workers granted temporary residence permits. During the December 2001 parliamentary elections, 12 supporters of a Muslim-based political party were killed in 2 separate incidents. However, the killings appear to have been politically, rather than religiously, motivated.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 25,322 square miles and a population of approximately 18.5 million. Buddhism, Hinduism, Islam, and Christianity all are practiced in the country. Approximately 70 percent of the population are Buddhist, 15 percent are Hindu, 8 percent are Muslim, and 7 percent are Christian. Christians tend to be concentrated in the west, with much of the north almost exclusively Hindu. Muslims, although present in many other areas, make up a particularly high percentage of the population in the east. The other parts of the country have a mixture of religions, with Buddhism overwhelmingly present in the south.

Most members of the majority Sinhalese community are Theravada Buddhists. Almost all Muslims are Sunnis, with a small minority of Shi'a, including members of the Borah community. Roman Catholics account for almost 90 percent of the Christians, with Anglicans and other mainstream Protestant churches also present in the cities. The Seventh-Day Adventists, Jehovah's Witnesses, and the Assemblies of God are present as well. Evangelical Christian groups have increased their membership in recent years, although the overall number of members in these groups still is small.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution gives Buddhism a “foremost position,” but it also provides for the right of members of other faiths to practice their religions freely, and the Government generally respects this right in practice.

There is a Ministry of Buddha Sasana and Religious Affairs. Within the Ministry, there is a Department of Hindu Religious and Cultural Affairs and a Department of Muslim Cultural and Religious Affairs which deal primarily with cultural issues and maintenance of historical sites. The Ministry of Muslim affairs also deals with all other issues involving the Muslim community. A Senior Assistant Secretary in the Ministry of Buddha Sasana and Religious Affairs monitors government relations with Christian denominations, which have resisted greater government involvement in their affairs. Instead, they are registered individually through acts of Parliament or as corporations under domestic law. Christian denominations must fill out and submit forms in order to be recognized as corporations. This gives them legal standing to be treated as corporate entities in their financial and real estate transactions.

There is no tax exemption for religious organizations as such. However, churches and temples are allowed to register as charitable organizations and therefore are entitled to some tax relief.

Religion is a mandatory subject in the school curriculum. Parents and children may choose whether a child studies Buddhism, Islam, Hinduism, or Christianity. Students of minority religions other than Islam, Hinduism, and Christianity must pursue religious instruction outside of the public school system. There are no separate syllabuses provided for religions with a smaller following in Sri Lanka. Religion is taught in schools from an academic point of view.

Despite the constitutional preference for Buddhism, major religious festivals of all faiths are celebrated as national holidays.

The Government has established councils for interfaith understanding.

*Restrictions on Religious Freedom*

Foreign clergy may work in the country, but for the last 30 years, the Government has sought to limit the number of foreign religious workers given temporary work permits. Permission usually is restricted to denominations that are registered with the Government. Most religious workers in the country, including most Christian clergy, are Sri Lankan in origin.

During the December 2001 Parliamentary elections a Buddhist monk was elected to Parliament as a member of the Opposition People’s Alliance party. This was the first time a member of the clergy ever had been elected to Parliament. There was some public debate as to the appropriateness of a member of the clergy participating in the political process, but the monk was allowed to take his position and he now is an active Member of Parliament.

Some evangelical Christians, who constitute less than 1 percent of the population, have expressed concern that their efforts at proselytizing often are met with hostility and harassment by the local Buddhist clergy and others opposed to their work. They sometimes complain that the Government tacitly condones such harassment, but there is no evidence to support this claim. Some Christian organizations claim that they continue to face opposition at the local level in rural areas but state that legal action or the threat of legal action generally has resulted in their being allowed to continue their activities.

Issues related to family law, including divorce, child custody, and inheritance are adjudicated by the customary law of each ethnic or religious group. In 1995, the Government raised the minimum age of marriage for women from 12 to 18 years, except in the case of Muslims, who continue to follow their customary religious practices. The application of different legal practices based on membership in a religious or ethnic group may result in discrimination against women.

*Abuses of Religious Freedom*

For the past 19 years, the Government, which is largely made up of Sinhalese (who predominantly are Buddhist), has fought the LTTE, a terrorist insurgent organization fighting for a separate state for the country’s Tamil (and predominantly Hindu) minority. After unilateral ceasefires were declared in December 2001, the Government and the LTTE signed a ceasefire accord in February 2002, which currently is in force.

Religion does not play a significant role in the conflict, which essentially is rooted in linguistic, ethnic, and political differences. Buddhists, Hindus, and Christians all have been affected by the conflict, which has claimed more than 60,000 lives. In the past, the military issued warnings through public radio before commencing major

operations, instructing civilians to congregate at safe zones around churches and temples. In the conflict areas in the north, the Government occasionally has been accused of bombing and shelling Hindu temples and Christian churches. In November 1999, the LTTE recaptured the area where the Madhu shrine, a well-known Christian pilgrimage site, is located, and granted some limited access for a period thereafter. During the period covered by this report the LTTE generally allowed Catholics access to the Shrine.

On May 5, 2000, a Buddhist holy day, a bomb was placed outside of a Buddhist temple in Batticaloa, on the eastern coast, killing several persons. The Government has investigated the incident and blamed the LTTE for the deaths; however, during the period covered by this report, no arrests were reported. The LTTE has attacked Buddhist sites, most notably the historic Dalada Maligawa or "Temple of the Tooth," the holiest Buddhist shrine in the country, in the town of Kandy in January 1998. Thirteen worshipers, including several children, were killed by the bombing. The Government still is attempting to locate and arrest the LTTE perpetrators of the attack. As a result, the Government has augmented security at a number of religious sites island-wide, including the Temple of the Tooth. In contrast to previous years, the LTTE did not target Buddhist sites during the period covered by this report; however, the LTTE has not indicated that it will abstain from attacking such targets in the future.

The LTTE has discriminated against Muslims, and in 1990 expelled some 46,000 Muslim inhabitants—virtually the entire Muslim population—from their homes in areas under LTTE control in the northern part of the island. Most of these persons remain displaced and live in or near welfare centers. Although some Muslims returned to Jaffna in 1997, they did not remain there due to the continuing threat posed by the LTTE. In the past, there were credible reports that the LTTE had warned thousands of Muslims displaced from the Mannar area not to return to their homes until the conflict was over. However, in the period covered by this report, the LTTE has made positive statements on the possible return of Muslims to this area. In the past, the LTTE also expropriated Muslim homes, land, and businesses, and threatened Muslim families with death if they attempted to return. However, it appears that these attacks were not targeted against persons due to their religious beliefs, but rather that they were a part of an overall strategy to clear the north and east of persons not sympathetic to the cause of an independent Tamil state. In April 2002, LTTE leaders met with Rauf Hakeem, the leader of the Sri Lankan Muslim Congress, and promised to permit the return of Muslims to their homes when a negotiated settlement to the conflict was attained. The LTTE also promised to cease kidnaping and harassing Muslims in the east. As of mid-May 2002, LTTE-Muslim relations appeared to have improved due to this meeting.

The LTTE has been accused in the past of using church and temple compounds, in which civilians are instructed by the Government to congregate in the event of hostilities, as shields for the storage of munitions.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

As part of the February 2002 ceasefire accord, government security forces have begun the process of vacating Hindu religious properties in the north and east that they have occupied. There were some complaints by Tamils as of mid-May 2002, however, that the properties were not being vacated as quickly as promised. Since June the LTTE also has allowed visits to religious sites in areas it controls.

### SECTION III. SOCIETAL ATTITUDES

Discrimination based on religious differences is much less common than discrimination based on ethnic group affiliation. In general, the members of the various faiths tend to be tolerant of each other's religious beliefs. On occasion, evangelical Christians, or anyone perceived to be attempting to convert Buddhists to Christianity, have been harassed by Buddhist monks. Some Christian organizations complain that the Government tacitly condones such harassment, although there is no evidence to support this claim (see Section I).

There are credible reports that in some rural areas members of Christian organizations have been physically assaulted for alleged attempts to convert Buddhists. In one instance, in April, a Buddhist monk was reported to have assaulted two members of the Salvation Army, claiming that they were attempting to convert a

person they were meeting with. The Salvation Army members were shaken by the incident but not seriously injured. In some rural areas, small Christian organizations have stated that they do not report cases of harassment in order to avoid additional attention. In other areas, religious leaders have found that a peaceful coexistence can be maintained as long as the leaders of all of the religious communities maintain a dialog.

On December 5, 2001, a total of 12 Muslim supporters of the Sri Lankan Muslim Congress were killed in 2 separate incidents. The killings occurred on Parliamentary election day and appear to have been politically—and not religiously—motivated. The alleged perpetrators, including a former Minister, currently are awaiting trial.

There are reports that members of various religious groups give preference in hiring in the private sector to members of their own group or denomination. This practice likely is linked to the country's ongoing ethnic problems and does not appear to be based principally on religion. There is no indication of preference in employment in the public sector on the basis of religion.

In April 2001, three Sinhalese men attacked a Muslim cashier. The Muslim community in Mawanella protested police inaction during and after the attack. In response, approximately 2,000 Sinhalese, including Buddhist monks, rioted in the Muslim section of town and confronted the Muslim protesters. Two Muslims were killed, and a number of buildings and vehicles were destroyed. The Muslim community throughout the western portion of the country staged a number of protests claiming the police did nothing to prevent the riot. Some of the protests resulted in direct clashes between the Muslim and Sinhalese communities. The police investigation of these incidents remains open, but no one has been arrested in connection with the violence.

In mid-February 1999, a group of religious leaders from the Buddhist, Hindu, Muslim, and Christian communities made a visit to the north central part of the country, an LTTE-controlled area. The purpose of the visit was to assess the humanitarian situation and to talk with senior LTTE leaders. The group later met with the President, but there were few concrete results. However, since the ceasefire went into effect in December 2001, there has been increasing contact and dialog among religious leaders. For example, Buddhist leaders have been able to travel through LTTE-controlled areas to get to Buddhist shrines in the Jaffna area.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Representatives of the Embassy regularly meet with representatives of all of the country's religious groups to review a wide range of human rights, ethnic, and religious freedom issues. The U.S. Ambassador has met with many religious figures, both in Colombo and in his travels around the country. Christian bishops and prominent Buddhist monks, as well as prominent members of the Hindu and Muslim communities, are in regular contact with the Embassy. The Embassy has been supportive of efforts by inter-faith religious leaders to promote a peaceful resolution of the conflict.

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## **APPENDIXES**

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## APPENDIX A

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### UNIVERSAL DECLARATION OF HUMAN RIGHTS

#### PREAMBLE

*Whereas* recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

*Whereas* disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

*Whereas* it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

*Whereas* it is essential to promote the development of friendly relations between nations,

*Whereas* the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

*Whereas* Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

*Whereas* a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

*Now, therefore*, The General Assembly, proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.<sup>1</sup>

#### ARTICLE 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

#### ARTICLE 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs,

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<sup>1</sup>Hundred and eighty-third plenary meeting; Resolution 217(A)(III) of the United Nations General Assembly, December 10, 1948.

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whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

ARTICLE 3

Everyone has the right to life, liberty and the security of person.

ARTICLE 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

ARTICLE 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

ARTICLE 6

Everyone has the right to recognition everywhere as a person before the law.

ARTICLE 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

ARTICLE 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

ARTICLE 9

No one shall be subjected to arbitrary arrest, detention or exile.

ARTICLE 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

ARTICLE 11

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.

2. No one shall be held guilty without any limitation due to race, of any penal offence on account of nationality or religion, have the any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed.

ARTICLE 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

ARTICLE 13

1. Everyone has the right to freedom of movement and residence within the borders of each state.

2. Everyone has the right to leave any country, including his own, and to return to his country.

ARTICLE 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.

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2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

ARTICLE 15

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor be denied the right to change his nationality.

ARTICLE 16

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

ARTICLE 17

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

ARTICLE 18

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 19

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 20

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

ARTICLE 21

1. Everyone has the right to take part in the Government of his country, directly or through freely chosen representatives.
2. Everyone has the right of equal access to public service in his country.
3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

ARTICLE 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

ARTICLE 23

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration insuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

4. Everyone has the right to form and to join trade unions for the protection of his interests.

ARTICLE 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

ARTICLE 25

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

ARTICLE 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

ARTICLE 27

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

ARTICLE 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

ARTICLE 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

ARTICLE 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

## APPENDIX B

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### INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

and

### THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

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#### INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

##### PREAMBLE

*The States Parties to the present Covenant,*

*Considering* that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, Recognizing that these rights derive from the inherent dignity of the human person,

*Recognizing* that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights,

*Considering* the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms,

*Realizing* that the individual, having duties to other individuals and to the community to which he belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Covenant,

Agree upon the following articles:

##### PART I

##### ARTICLE 1

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations. PART II

## ARTICLE 2

1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2. Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

3. Each State Party to the present Covenant undertakes:

(a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;

(b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

(c) To ensure that the competent authorities shall enforce such remedies when granted.

## ARTICLE 3

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.

## ARTICLE 4

1. In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

2. No derogation from articles 6, 7, 8 (paragraphs I and 2), 11, 15, 16 and 18 may be made under this provision.

3. Any State Party to the present Covenant availing itself of the right of derogation shall immediately inform the other States Parties to the present Covenant, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was actuated. A further communication shall be made, through the same intermediary, on the date on which it terminates such derogation.

## ARTICLE 5

1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant.

2. There shall be no restriction upon or derogation from any of the fundamental human rights recognized or existing in any State Party to the present Covenant pursuant to law, conventions, regulations or custom on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.

## PART III

## ARTICLE 6

1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

2. In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the

Crime of Genocide. This penalty can only be carried out pursuant to a final judgement rendered by a competent court.

3. When deprivation of life constitutes the crime of genocide, it is understood that nothing in this article shall authorize any State Party to the present Covenant to derogate in any way from any obligation assumed under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide.

4. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases.

5. Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.

6. Nothing in this article shall be invoked to delay or to prevent the abolition of capital punishment by any State Party to the present Covenant.

#### ARTICLE 7

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

#### ARTICLE 8

1. No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.

2. No one shall be held in servitude.

3. (a) No one shall be required to perform forced or compulsory labour;

(b) Paragraph 3 (a) shall not be held to preclude, in countries where imprisonment with hard labour may be imposed as a punishment for a crime, the performance of hard labour in pursuance of a sentence to such punishment by a competent court;

(c) For the purpose of this paragraph the term "forced or compulsory labour" shall not include:

(i) Any work or service, not referred to in subparagraph (b), normally required of a person who is under detention in consequence of a lawful order of a court, or of a person during conditional release from such detention;

(ii) Any service of a military character and, in countries where conscientious objection is recognized, any national service required by law of conscientious objectors;

(iii) Any service exacted in cases of emergency or calamity threatening the life or well-being of the community;

(iv) Any work or service which forms part of normal civil obligations.

#### ARTICLE 9

1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement.

4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.

5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.

#### ARTICLE 10

1. All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

2. (a) Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons;

(b) Accused juvenile persons shall be separated from adults and brought as speedily as possible for adjudication.

3. The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation. Juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status.

#### ARTICLE 11

No one shall be imprisoned merely on the ground of inability to fulfil a contractual obligation.

#### ARTICLE 12

1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.

2. Everyone shall be free to leave any country, including his own.

3. The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order (ordre public), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.

4. No one shall be arbitrarily deprived of the right to enter his own country.

#### ARTICLE 13

An alien lawfully in the territory of a State Party to the present Covenant may be expelled therefrom only in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion and to have his case reviewed by, and be represented for the purpose before, the competent authority or a person or persons especially designated by the competent authority.

#### ARTICLE 14

1. All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The press and the public may be excluded from all or part of a trial for reasons of morals, public order (ordre public) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children.

2. Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law.

3. In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:

(a) To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;

(b) To have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing;

(c) To be tried without undue delay;

(d) To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;

(e) To examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;

(f) To have the free assistance of an interpreter if he cannot understand or speak the language used in court;

(g) Not to be compelled to testify against himself or to confess guilt.

4. In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.

5. Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law.

6. When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him.

7. No one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country.

#### ARTICLE 15

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time when the criminal offence was committed. If, subsequent to the commission of the offence, provision is made by law for the imposition of the lighter penalty, the offender shall benefit thereby.

2. Nothing in this article shall prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognized by the community of nations.

#### ARTICLE 16

Everyone shall have the right to recognition everywhere as a person before the law.

#### ARTICLE 17

1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.

2. Everyone has the right to the protection of the law against such interference or attacks.

#### ARTICLE 18

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

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

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

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

#### ARTICLE 19

1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others;

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

#### ARTICLE 20

1. Any propaganda for war shall be prohibited by law.

2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

## ARTICLE 21

The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

## ARTICLE 22

1. Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

2. No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right.

3. Nothing in this article shall authorize States Parties to the International Labour Organization Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or to apply the law in such a manner as to prejudice, the guarantees provided for in that Convention.

## ARTICLE 23

1. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

2. The right of men and women of marriageable age to marry and to found a family shall be recognized.

3. No marriage shall be entered into without the free and full consent of the intending spouses.

4. States Parties to the present Covenant shall take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution. In the case of dissolution, provision shall be made for the necessary protection of any children.

## ARTICLE 24

1. Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.

2. Every child shall be registered immediately after birth and shall have a name.

3. Every child has the right to acquire a nationality.

## ARTICLE 25

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

(c) To have access, on general terms of equality, to public service in his country.

## ARTICLE 26

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

## ARTICLE 27

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

## PART IV

## ARTICLE 28

1. There shall be established a Human Rights Committee (hereafter referred to in the present Covenant as the Committee). It shall consist of eighteen members and shall carry out the functions hereinafter provided.

2. The Committee shall be composed of nationals of the States Parties to the present Covenant who shall be persons of high moral character and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of some persons having legal experience.

3. The members of the Committee shall be elected and shall serve in their personal capacity.

## ARTICLE 29

1. The members of the Committee shall be elected by secret ballot from a list of persons possessing the qualifications prescribed in article 28 and nominated for the purpose by the States Parties to the present Covenant.

2. Each State Party to the present Covenant may nominate not more than two persons. These persons shall be nationals of the nominating State.

3. A person shall be eligible for renomination.

## ARTICLE 30

1. The initial election shall be held no later than six months after the date of the entry into force of the present Covenant.

2. At least four months before the date of each election to the Committee, other than an election to fill a vacancy declared in accordance with article 34, the Secretary-General of the United Nations shall address a written invitation to the States Parties to the present Covenant to submit their nominations for membership of the Committee within three months.

3. The Secretary-General of the United Nations shall prepare a list in alphabetical order of all the persons thus nominated, with an indication of the States Parties which have nominated them, and shall submit it to the States Parties to the present Covenant no later than one month before the date of each election.

4. Elections of the members of the Committee shall be held at a meeting of the States Parties to the present Covenant convened by the Secretary General of the United Nations at the Headquarters of the United Nations. At that meeting, for which two thirds of the States Parties to the present Covenant shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

## ARTICLE 31

1. The Committee may not include more than one national of the same State.

2. In the election of the Committee, consideration shall be given to equitable geographical distribution of membership and to the representation of the different forms of civilization and of the principal legal systems.

## ARTICLE 32

1. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these nine members shall be chosen by lot by the Chairman of the meeting referred to in article 30, paragraph 4.

2. Elections at the expiry of office shall be held in accordance with the preceding articles of this part of the present Covenant.

## ARTICLE 33

1. If, in the unanimous opinion of the other members, a member of the Committee has ceased to carry out his functions for any cause other than absence of a temporary character, the Chairman of the Committee shall notify the Secretary-General of the United Nations, who shall then declare the seat of that member to be vacant.

2. In the event of the death or the resignation of a member of the Committee, the Chairman shall immediately notify the Secretary-General of the United Nations, who shall declare the seat vacant from the date of death or the date on which the resignation takes effect.

## ARTICLE 34

1. When a vacancy is declared in accordance with article 33 and if the term of office of the member to be replaced does not expire within six months of the declaration of the vacancy, the Secretary-General of the United Nations shall notify each of the States Parties to the present Covenant, which may within two months submit nominations in accordance with article 29 for the purpose of filling the vacancy.

2. The Secretary-General of the United Nations shall prepare a list in alphabetical order of the persons thus nominated and shall submit it to the States Parties to the present Covenant. The election to fill the vacancy shall then take place in accordance with the relevant provisions of this part of the present Covenant.

3. A member of the Committee elected to fill a vacancy declared in accordance with article 33 shall hold office for the remainder of the term of the member who vacated the seat on the Committee under the provisions of that article.

## ARTICLE 35

The members of the Committee shall, with the approval of the General Assembly of the United Nations, receive emoluments from United Nations resources on such terms and conditions as the General Assembly may decide, having regard to the importance of the Committee's responsibilities.

## ARTICLE 36

The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Covenant.

## ARTICLE 37

1. The Secretary-General of the United Nations shall convene the initial meeting of the Committee at the Headquarters of the United Nations.

2. After its initial meeting, the Committee shall meet at such times as shall be provided in its rules of procedure.

3. The Committee shall normally meet at the Headquarters of the United Nations or at the United Nations Office at Geneva.

## ARTICLE 38

Every member of the Committee shall, before taking up his duties, make a solemn declaration in open committee that he will perform his functions impartially and conscientiously.

## ARTICLE 39

1. The Committee shall elect its officers for a term of two years. They may be re-elected.

2. The Committee shall establish its own rules of procedure, but these rules shall provide, *inter alia*, that:

(a) Twelve members shall constitute a quorum;

(b) Decisions of the Committee shall be made by a majority vote of the members present.

## ARTICLE 40

1. The States Parties to the present Covenant undertake to submit reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made in the enjoyment of those rights:

(a) Within one year of the entry into force of the present Covenant for the States Parties concerned;

(b) Thereafter whenever the Committee so requests.

2. All reports shall be submitted to the Secretary-General of the United Nations, who shall transmit them to the Committee for consideration. Reports shall indicate the factors and difficulties, if any, affecting the implementation of the present Covenant.

3. The Secretary-General of the United Nations may, after consultation with the Committee, transmit to the specialized agencies concerned copies of such parts of the reports as may fall within their field of competence.

4. The Committee shall study the reports submitted by the States Parties to the present Covenant. It shall transmit its reports, and such general comments as it may consider appropriate, to the States Parties. The Committee may also transmit to the Economic and Social Council these comments along with the copies of the reports it has received from States Parties to the present Covenant.

5. The States Parties to the present Covenant may submit to the Committee observations on any comments that may be made in accordance with paragraph 4 of this article.

#### ARTICLE 41

1. A State Party to the present Covenant may at any time declare under this article that it recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the present Covenant. Communications under this article may be received and considered only if submitted by a State Party which has made a declaration recognizing in regard to itself the competence of the Committee. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration. Communications received under this article shall be dealt with in accordance with the following procedure:

(a) If a State Party to the present Covenant considers that another State Party is not giving effect to the provisions of the present Covenant, it may, by written communication, bring the matter to the attention of that State Party. Within three months after the receipt of the communication the receiving State shall afford the State which sent the communication an explanation, or any other statement in writing clarifying the matter which should include, to the extent possible and pertinent, reference to domestic procedures and remedies taken, pending, or available in the matter;

(b) If the matter is not adjusted to the satisfaction of both States Parties concerned within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter to the Committee, by notice given to the Committee and to the other State;

(c) The Committee shall deal with a matter referred to it only after it has ascertained that all available domestic remedies have been invoked and exhausted in the matter, in conformity with the generally recognized principles of international law. This shall not be the rule where the application of the remedies is unreasonably prolonged;

(d) The Committee shall hold closed meetings when examining communications under this article;

(e) Subject to the provisions of subparagraph (c), the Committee shall make available its good offices to the States Parties concerned with a view to a friendly solution of the matter on the basis of respect for human rights and fundamental freedoms as recognized in the present Covenant;

(f) In any matter referred to it, the Committee may call upon the States Parties concerned, referred to in subparagraph (b), to supply any relevant information;

(g) The States Parties concerned, referred to in subparagraph (b), shall have the right to be represented when the matter is being considered in the Committee and to make submissions orally and/or in writing;

(h) The Committee shall, within twelve months after the date of receipt of notice under subparagraph (b), submit a report:

(i) If a solution within the terms of subparagraph (e) is reached, the Committee shall confine its report to a brief statement of the facts and of the solution reached;

(ii) If a solution within the terms of subparagraph (e) is not reached, the Committee shall confine its report to a brief statement of the facts; the written submissions and record of the oral submissions made by the States

Parties concerned shall be attached to the report. In every matter, the report shall be communicated to the States Parties concerned.

2. The provisions of this article shall come into force when ten States Parties to the present Covenant have made declarations under paragraph I of this article. Such declarations shall be deposited by the States Parties with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General. Such a withdrawal shall not prejudice the consideration of any matter which is the subject of a communication already transmitted under this article; no further communication by any State Party shall be received after the notification of withdrawal of the declaration has been received by the Secretary-General, unless the State Party concerned has made a new declaration.

#### ARTICLE 42

1. (a) If a matter referred to the Committee in accordance with article 41 is not resolved to the satisfaction of the States Parties concerned, the committee may, with the prior consent of the States Parties concerned, appoint an ad hoc Conciliation Commission (hereinafter referred to as the Commission). The good offices of the Commission shall be made available to the States Parties concerned with a view to an amicable solution of the matter on the basis of respect for the present Covenant;

(b) The Commission shall consist of five persons acceptable to the states Parties concerned. If the States Parties concerned fail to reach agreement within three months on all or part of the composition of the Commission, the members of the Commission concerning whom no agreement has been reached shall be elected by secret ballot by a two-thirds majority vote of the Committee from among its members.

2. The members of the Commission shall serve in their personal capacity. They shall not be nationals of the States Parties concerned, or of a State not Party to the present Covenant, or of a State Party which has not made a declaration under article 41.

3. The Commission shall elect its own Chairman and adopt its own rules of procedure.

4. The meetings of the Commission shall normally be held at the Headquarters of the United Nations or at the United Nations Office at Geneva. However, they may be held at such other convenient places as the Commission may determine in consultation with the Secretary-General of the United Nations and the States Parties concerned.

5. The secretariat provided in accordance with article 36 shall also service the commissions appointed under this article.

6. The information received and collated by the Committee shall be made available to the Commission and the Commission may call upon the States Parties concerned to supply any other relevant information.

7. When the Commission has fully considered the matter, but in any event not later than twelve months after having been seized of the matter, it shall submit to the Chairman of the Committee a report for communication to the States Parties concerned:

(a) If the Commission is unable to complete its consideration of the matter within twelve months, it shall confine its report to a brief statement of the status of its consideration of the matter;

(b) If an amicable solution to the matter on the basis of respect for human rights as recognized in the present Covenant is reached, the Commission shall confine its report to a brief statement of the facts and of the solution reached;

(c) If a solution within the terms of subparagraph (b) is not reached, the Commission's report shall embody its findings on all questions of fact relevant to the issues between the States Parties concerned, and its views on the possibilities of an amicable solution of the matter. This report shall also contain the written submissions and a record of the oral submissions made by the States Parties concerned;

(d) If the Commission's report is submitted under subparagraph (c), the States Parties concerned shall, within three months of the receipt of the report, notify the Chairman of the Committee whether or not they accept the contents of the report of the Commission.

8. The provisions of this article are without prejudice to the responsibilities of the Committee under article 41.

9. The States Parties concerned shall share equally all the expenses of the members of the Commission in accordance with estimates to be provided by the Secretary-General of the United Nations.

10. The Secretary-General of the United Nations shall be empowered to pay the expenses of the members of the Commission, if necessary, before reimbursement by the States Parties concerned, in accordance with paragraph 9 of this article.

## ARTICLE 43

The members of the Committee, and of the ad hoc conciliation commissions which may be appointed under article 42, shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.

## ARTICLE 44

The provisions for the implementation of the present Covenant shall apply without prejudice to the procedures prescribed in the field of human rights by or under the constituent instruments and the conventions of the United Nations and of the specialized agencies and shall not prevent the States Parties to the present Covenant from having recourse to other procedures for settling a dispute in accordance with general or special international agreements in force between them.

## ARTICLE 45

The Committee shall submit to the General Assembly of the United Nations, through the Economic and Social Council, an annual report on its activities.

## PART V

## ARTICLE 46

Nothing in the present Covenant shall be interpreted as impairing the provisions of the Charter of the United Nations and of the constitutions of the specialized agencies which define the respective responsibilities of the various organs of the United Nations and of the specialized agencies in regard to the matters dealt with in the present Covenant.

## ARTICLE 47

Nothing in the present Covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources.

## PART VI

## ARTICLE 48

1. The present Covenant is open for signature by any State Member of the United Nations or member of any of its specialized agencies, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited by the General Assembly of the United Nations to become a Party to the present Covenant.

2. The present Covenant is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. The present Covenant shall be open to accession by any State referred to in paragraph 1 of this article.

4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

5. The Secretary-General of the United Nations shall inform all States which have signed this Covenant or acceded to it of the deposit of each instrument of ratification or accession.

## ARTICLE 49

1. The present Covenant shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the thirty-fifth instrument of ratification or instrument of accession.

2. For each State ratifying the present Covenant or acceding to it after the deposit of the thirty-fifth instrument of ratification or instrument of accession, the present Covenant shall enter into force three months after the date of the deposit of its own instrument of ratification or instrument of accession.

## ARTICLE 50

The provisions of the present Covenant shall extend to all parts of federal States without any limitations or exceptions.

## ARTICLE 51

1. Any State Party to the present Covenant may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General of the United Nations shall thereupon communicate any proposed amendments to the States Parties to the present Covenant with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that at least one third of the States Parties favours such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. Amendments shall come into force when they have been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of the States Parties to the present Covenant in accordance with their respective constitutional processes.

3. When amendments come into force, they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of the present Covenant and any earlier amendment which they have accepted.

## ARTICLE 52

Irrespective of the notifications made under article 48, paragraph 5, the Secretary-General of the United Nations shall inform all States referred to in paragraph I of the same article of the following particulars:

- (a) Signatures, ratifications and accessions under article 48;
- (b) The date of the entry into force of the present Covenant under article 49 and the date of the entry into force of any amendments under article 51.

## ARTICLE 53

1. The present Covenant, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Covenant to all States referred to in article 48.

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**DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF**

*The General Assembly,<sup>1</sup>*

*Considering* that one of the basic principles of the Charter of the United Nations is that of the dignity and equality inherent in all human beings, and that all Member States have pledged themselves to take joint and separate action in co-operation with the Organization to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion;

*Considering* that the Universal Declaration of Human Rights and the International Covenants on Human Rights proclaim the principles of non-discrimination and equality before the law and the right to freedom of thought, conscience, religion and belief;

*Considering* that the disregard and infringement of human rights and fundamental freedoms, in particular of the right to freedom of thought, conscience, religion or whatever belief, have brought, directly or indirectly, wars and great suffering to mankind, especially where they serve as a means of foreign interference in the internal affairs of other States and amount to kindling hatred between peoples and nations;

<sup>1</sup>Proclaimed by General Assembly resolution 36/55 of 25 November 1981.

*Considering* that religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life and that freedom of religion or belief should be fully respected and guaranteed;

*Considering* that it is essential to promote understanding, tolerance and respect in matters relating to freedom of religion and belief and to ensure that the use of religion or belief for ends inconsistent with the Charter of the United Nations, other relevant instruments of the United Nations and the purposes and principles of the present Declaration is inadmissible;

*Convinced* that freedom of religion and belief should also contribute to the attainment of the goals of world peace, social justice and friendship among peoples and to the elimination of ideologies or practices of colonialism and racial discrimination;

*Noting* with satisfaction the adoption of several, and the coming into force of some, conventions, under the aegis of the United Nations and of the specialized agencies, for the elimination of various forms of discrimination;

*Concerned* by manifestations of intolerance and by the existence of discrimination in matters of religion or belief still in evidence in some areas of the world;

Resolved to adopt all necessary measures for the speedy elimination of such intolerance in all its forms and manifestations and to prevent and combat discrimination on the ground of religion or belief;

*Proclaims* this Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief:

#### ARTICLE 1

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have a religion or whatever belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

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

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

#### ARTICLE 2

1. No one shall be subject to discrimination by any State, institution, group of persons, or person on the grounds of religion or other belief.

2. For the purposes of the present Declaration, the expression "intolerance and discrimination based on religion or belief" means any distinction, exclusion, restriction or preference based on religion or belief and having as its purpose or as its effect nullification or impairment of the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis.

#### ARTICLE 3

Discrimination between human being on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter of the United Nations, and shall be condemned as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and enunciated in detail in the International Covenants on Human Rights, and as an obstacle to friendly and peaceful relations between nations.

#### ARTICLE 4

1. All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.

2. All States shall make all efforts to enact or rescind legislation where necessary to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or other beliefs in this matter.

#### ARTICLE 5

1. The parents or, as the case may be, the legal guardians of the child have the right to organize the life within the family in accordance with their religion or

belief and bearing in mind the moral education in which they believe the child should be brought up.

2. Every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents or, as the case may be, legal guardians, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents or legal guardians, the best interests of the child being the guiding principle.

3. The child shall be protected from any form of discrimination on the ground of religion or belief. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, respect for freedom of religion or belief of others, and in full consciousness that his energy and talents should be devoted to the service of his fellow men.

4. In the case of a child who is not under the care either of his parents or of legal guardians, due account shall be taken of their expressed wishes or of any other proof of their wishes in the matter of religion or belief, the best interests of the child being the guiding principle.

5. Practices of a religion or belief in which a child is brought up must not be injurious to his physical or mental health or to his full development, taking into account article 1, paragraph 3, of the present Declaration.

#### ARTICLE 6

In accordance with article I of the present Declaration, and subject to the provisions of article 1, paragraph 3, the right to freedom of thought, conscience, religion or belief shall include, inter alia, the following freedoms:

(a) To worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes;

(b) To establish and maintain appropriate charitable or humanitarian institutions;

(c) To make, acquire and use to an adequate extent the necessary articles and materials related to the rites or customs of a religion or belief;

(d) To write, issue and disseminate relevant publications in these areas;

(e) To teach a religion or belief in places suitable for these purposes;

(f) To solicit and receive voluntary financial and other contributions from individuals and institutions;

(g) To train, appoint, elect or designate by succession appropriate leaders called for by the requirements and standards of any religion or belief;

(h) To observe days of rest and to celebrate holidays and ceremonies in accordance with the precepts of one's religion or belief;

(i) To establish and maintain communications with individuals and communities in matters of religion and belief at the national and international levels.

#### ARTICLE 7

The rights and freedoms set forth in the present Declaration shall be accorded in national legislation in such a manner that everyone shall be able to avail himself of such rights and freedoms in practice.

#### ARTICLE 8

Nothing in the present Declaration shall be construed as restricting or derogating from any right defined in the Universal Declaration of Human Rights and the International Covenants on Human Rights.

## APPENDIX C

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### TRAINING AT THE FOREIGN SERVICE INSTITUTE RELATED TO THE INTERNATIONAL RELIGIOUS FREEDOM ACT

#### I. SUMMARY OF MAJOR DEVELOPMENTS

Since the first report on International Religious Freedom was issued in September 1999, the Foreign Service Institute (FSI) has worked continuously with the Office of International Religious Freedom, Bureau of Democracy, Human Rights, and Labor, in implementing H.R. 2431 (the International Religious Freedom Act). The result of this cooperation has been the integration of religious freedom issues into the regular curriculum at FSI. During the period covered by this report, members of the FSI training staff took part in conferences dealing with religious freedom, persecution, conflict, and reconciliation hosted by academic institutions, think tanks, and nongovernmental organizations. The Political Training Division at FSI has continued to work with the staff of the U.S. Commission on International Religious Freedom to ensure that their insights are reflected in FSI's course offerings.

#### II. COURSES OFFERED

The School of Professional and Area Studies (SPAS) at FSI offers training relevant to the International Religious Freedom Act of 1998 (IRFA) in a variety of courses. Following are brief descriptions of courses offered by the divisions of Political Training, Orientation, Consular Training, and Area Studies:

##### FOREIGN SERVICE OFFICER ORIENTATION (A-100)

During the A-100 Course, we address Religious Freedom in two different sessions on human rights. A senior State Department official from the Bureau of Democracy, Human Rights, and Labor (DRL) presents one session. For the past year, a representative from the Congressional Executive Committee on China has presented the second session. Additionally, we provide key background materials on religious freedom to all students via a CD-ROM we distribute to each officer. We also direct them to key websites of related materials.

##### POLITICAL/ECONOMIC TRADECRAFT (PG-140)

This is a 3-week-long course. The students have been assigned for the first time to work in an embassy's or consulate's political, economic, or combined political/economic section overseas. Political/Economic Tradecraft is essentially a required course, in that State Department officers are assigned to take it by the personnel system and exceptions are rare. The State Department expects that a large proportion of these officers/students during their careers will be directly responsible for preparing their post's human rights and religious freedom reports.

Each student is provided with the Annual Report on Religious Freedom and the report of the US Commission on International Religious Freedom listed in Section III. In addition the Bureau of Democracy, Human Rights, and Labor provides at least a half-day session during which religious freedom issues are featured prominently. There also usually is a segment that includes a discussion of religious persecution, religious identity, and religious reconciliation as important factors in contemporary international conflicts.

##### GLOBAL ISSUES (PP-510)

This 3-day course is given twice a year and is geared toward mid-level foreign affairs and national security professionals working for the Department of State and

other agencies. In the fall, this course is combined with a separate module on human rights.

Students are provided with a course notebook that contains materials addressing religious freedom issues. As in the Tradecraft courses, the Bureau of Democracy, Human Rights, and Labor provides presentations during which religious freedom issues are featured together with other aspects of U.S. human rights policy.

#### INTERNATIONAL CONFLICT WORKSHOP (PP-519)

This weeklong workshop focuses on various aspects of international conflict, especially the enhancement of skills needed to analyze the causes of conflict and develop a plan for preventive diplomacy. This course trains up to 30 foreign affairs and national security professionals at all levels working for the Department of State and other agencies.

The students are provided with reading materials including most of the key documents listed in Section III. Multiple segments in this course (e.g. Bosnia and Afghanistan) deal with religious persecution and identity as a factor in ethnic conflict, and reconciliation as a potential preventive step.

#### BASIC CONSULAR COURSE (PC-530)

PC-530 serves as the prerequisite for obtaining a consular commission in the Foreign Service. It is aimed at new Foreign Services Officers preparing to go overseas to fill consular positions, dependents of U. S. government employees who will work as Consular Associates overseas, and domestic employees of the Bureau of Consular Affairs in order that they may serve temporary duty as consular officers should the need arise.

The PC-530 schedule includes a lecture related to the U.S. Immigration and Naturalization Service (INS), "Working with INS," that incorporates discussion of refugee and asylum issues as they pertain to consular officers. The subject also is covered in further detail in the Self-Instructional Guide (SIG) on immigrant visa processing, which includes a chapter on "Refugees, Asylum, Walk-ins, and Parole." This chapter describes the United Nations High Commissioner for Refugees (UNHCR) refugee criteria, the U.S. refugee program, and processing requirements for refugees. Scenarios involving religious minorities have been incorporated into the "role play" portion of the training on consular prison visits.

#### AREA STUDIES

The Foreign Service Institute and the Appeal of Conscience Foundation annually sponsor a major symposium focused on religious freedom and the role of U.S. diplomats overseas. Officers in FSI language training and area studies courses take part in this symposium. The symposium brings together leading experts on religious issues and foreign affairs practitioners who can speak to the job related aspects of religious freedom issues to provide our officers with a clear understanding of the importance of these issues and the challenges and responsibilities they will face.

Throughout the year, the course chairs in the Area Studies Division, in cooperation with the Bureau of Democracy, Human Rights, and Labor, ensure that their courses address both regional and country specific issues of religion, religious freedom and human rights. Participants receive substantial information encompassing the full range of issues affecting particular regions, including religious freedom and human rights, religious history and religious traditions. Students also receive reading lists (and World Wide Web guidance) that direct them to even more detailed material.

#### AMBASSADORIAL AND DEPUTY CHIEF OF MISSION TRAINING

The Ambassadorial Seminar hands out a photocopied and bound publication put together by the Office of International Religious Freedom. The Under Secretary for Global Affairs regularly is scheduled to speak to the Ambassadorial Seminar.

### III. BACKGROUND MATERIAL ON RELIGIOUS FREEDOM

The following materials related to religious freedom are made available to FSI students:

#### BACKGROUND MATERIALS:

1. Mission Statement for the State Department Office of International Religious Freedom

2. "Preparing the Annual report on Religious Freedom for 2001"—State Department Telegram April 13, 2001 (MRN 66404)
3. 2001 Annual Report on International Religious Freedom (Executive Summary)
4. Main Web Page of the U.S. Commission on International Religious Freedom
5. List of Members (current and former) of the U.S. Commission on International Religious Freedom
6. Report of the U.S. Commission on International Religious Freedom (Executive Summary) May 1, 2001

## HIGHLIGHTS FROM KEY INTERNATIONAL DOCUMENTS:

1. Universal Declaration of Human Rights (article 18)
2. International Covenant on Civil and Political Rights (articles 18, 26 & 27)

## LINKS TO INTERNATIONAL RELIGIOUS FREEDOM MATERIALS:

1. "Preparing the Annual Report on Religious Freedom for 2001"—State Department Telegram: April 13, 2001 (MRN 66404) <http://www.state.gov/g/drl/irf>
2. 2001 Annual Report on International Religious Freedom (Executive Summary) <http://www.state.gov/g/drl/rls/irf/2001/5531.html>
3. Main Web Page of the U.S. Commission on International Religious Freedom <http://www.uscirf.gov>
4. List of Members (current & former) of the U.S. Commission on International Religious Freedom <http://www.uscirf.gov/cirfPages/faqs.php3?mode=print>
5. Report of the U.S. Commission on International Religious Freedom (Executive Summary) October 26, 2001 <http://www.uscirf.gov/dos01Pages/irf-exec.php3?mode=print>
6. Universal Declaration of Human Rights <http://www.un.org/Overview/rights.html>
7. International Covenant on Civil & Political Rights <http://www.unhchr.ch/html/menu3/b/a-ccpr.html>



## APPENDIX D

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### INS AND THE INTERNATIONAL RELIGIOUS FREEDOM ACT (IRFA)

The Immigration and Naturalization Service (INS) is committed to ensuring that all claims for refugee and asylum protection are treated with fairness, respect, and dignity and that all mandates of IRFA are properly implemented. This appendix summarizes the agency's actions during FY2002, as required under Section 102 (b)(1)(E) of IRFA.

#### I. TRAINING OF ASYLUM OFFICERS AND REFUGEE ADJUDICATORS

The INS provides extensive training to Asylum Officers in order to prepare them to perform their duties of adjudicating asylum claims. The training covers all grounds on which an asylum claim may be based, including religion. Asylum Officers receive approximately 5 weeks of specialized training related to international human rights law, non-adversarial interview techniques, and other relevant national and international refugee laws and principles.<sup>1</sup> During the 5-week training, as well as in local asylum office training, the INS provides Asylum Officers with specialized training on religious persecution issues.

The INS also provides Refugee Adjudicators with a specialized two-week training course in refugee law and overseas refugee procedures, as mandated by IRFA. The course was largely adapted from the Asylum Officer Basic Training Course (AOBTC), with some new modules developed specifically for overseas refugee processing. The training program pays special attention to religious persecution issues. Refugee training is conducted as needed when new officers are deployed overseas.

The Resource Information Center (RIC) in the INS Office of International Affairs Asylum Division serves both Asylum Officers and Refugee Adjudicators and is responsible for the collection or production, and distribution, of materials regarding human rights conditions around the world. The RIC has published an online guide to web research that is posted on the internal INS website, the INS Intranet. An INS Intranet site was created with links to government and non-government websites that contain information on religious persecution. The RIC separately catalogues religious freedom periodicals and separately codes RIC responses to field queries that involve religious issues.

#### II. TRAINING OF IMMIGRATION OFFICERS PERFORMING DUTIES UNDER SECTION 235 (B) OF THE INA (EXPEDITED REMOVAL)

Approximately 4,500 Immigration Inspectors and 2,500 Detention and Deportation Officers may at some time be involved in the expedited removal/credible fear process and therefore are subject to the training provisions of Section 603(b) of IRFA. The INS has produced a training video that will be used to ensure that all officers who may be involved in the expedited removal/credible fear process under INA Section 235 (b) understand the need for sensitivity to persecution claims. The video will be disseminated to field offices in the near future.

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<sup>1</sup>Asylum Officers are required to complete two 5-week training courses, the Adjudication and Asylum Officer Basic Training Course (AAOBTC), and the Asylum Officer Basic Training Course (AOBTC). The AAOBTC, covers the Immigration and Nationality Act (INA) and basic immigration law. The AOBTC, includes international human rights law, asylum and refugee law, interviewing techniques, decision-making and decision-writing skills, effective country conditions research skills, and computer skills. In addition compulsory in-service training for all asylum officers is held weekly.

## III. GUIDELINES FOR ADDRESSING HOSTILE BIASES

The INS has included specific anti-bias provisions in the language services contract used by Asylum Officers in the Asylum Pre-Screening Program. The contract and interpreter oath also include special provisions that ensure the security and confidentiality of the credible fear process. The INS is in the final stages of incorporating anti-bias provisions in procedures for handling interpretation at all stages of the inspection process.

## APPENDIX E

### OVERVIEW OF U.S. REFUGEE POLICY

The United Nations High Commissioner for Refugees (UNHCR) estimates the world's refugee population to be 12 million. Millions more are displaced within their own countries by war, famine, and civil unrest. The United States works with other governments and international and nongovernmental organizations to protect refugees, internally displaced persons, and conflict victims, while striving to ensure that survival needs for food, health care, and shelter are met. The United States has been instrumental in mobilizing a community of nations to work through these organizations to alleviate the misery and suffering of refugees worldwide, supporting major relief and repatriation programs in FY 2002.

In seeking durable long-term solutions for most refugees, the United States gives priority to the safe, voluntary return of refugees to their homelands. This policy, recognized in the Refugee Act of 1980, also is the preference of the UNHCR and the international community of nations that supports refugees. If safe, voluntary repatriation is not feasible, other durable solutions are sought, including resettlement in countries of asylum within the region and in other regions. Resettlement in other countries, including the United States, is appropriate for refugees in urgent need of protection and for refugees for whom other durable solutions are inappropriate or unavailable.

The United States considers for admission as refugees persons of special humanitarian concern who can establish that they experienced past persecution or have a well-founded fear of future persecution in their home country on account of race, religion, nationality, membership in a particular social group, or political opinion. The legal basis of the refugee admissions program is the Refugee Act, which embodies the American tradition of granting refuge to diverse groups suffering or fearing persecution. The Act adopted the definition of "refugee" contained in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol.

Over the past decade, the U.S. Refugee Admissions Program has been adjusting its focus away from the large refugee admissions programs that had developed during the Cold War for nationals of Communist countries and toward more diverse refugee groups that require protection for a variety of reasons, including religious belief. The following describes the program's efforts, by region, in meeting the needs of refugees worldwide who have faced religious persecution.

#### AFRICA

For the majority of countries in sub-Saharan Africa, religious freedom and peaceful coexistence are the rule, even where other conflicts hold sway. The primary exception to the rule is Sudan, where the long ongoing civil war has a religious dimension. Islam is the state religion and Muslims dominate the Government. The Government continues to restrict the activities of Christians, practitioners of traditional indigenous religions, and other non-Muslims. Security forces reportedly harass and use violence against persons based on their religious beliefs. In areas controlled by the Government, access to education as well as other social services is far easier for Muslims than for Christians and non-Muslims. The Government has conducted or tolerated attacks on civilians, indiscriminate bombing raids, and slave raids in the south, all with a religious as well as an ethnic dimension.

The U.S. admissions program has in recent years increased its focus in Egypt, Ethiopia, and Kenya on these Sudanese victims of religious discrimination and repression. The refugee-processing program in Cairo was expanded in 1999 with Sudanese refugees as the primary beneficiaries. During FY 2001, some 3,600 young Sudanese refugees who were in camps in Kenya were resettled in the United States. This effort included some 500 unaccompanied minors who entered foster care programs in various states. Religious freedom also is a growing concern in Nigeria,

where northern states have adopted and expanded Islamic law (Shari'a). Many non-Muslims have left the northern states and gone to the south because they fear the application of Shari'a. These internally displaced persons face harassment and loss of opportunities if they remain in the north.

#### EAST ASIA

Most countries in the region permit freedom of worship. However, the religious freedom situation in China continues to be very poor. The Government actively suppresses those groups that it cannot control directly, most notably the Vatican-affiliated (underground) Catholic Church, Protestant "house churches," some Muslim groups, Tibetan Buddhists, and members of the Falun Gong spiritual movement. The Vietnamese Constitution provides for freedom of worship; however, the Government restricts those organized activities of religious organizations that it defines as being at variance with state laws and policies. Most independent religious activities either are prohibited or restricted severely. For example, Buddhist monks are required to work under a party-controlled umbrella organization. The situation for some religious groups in Laos is similar. In Burma the Government actively suppresses most non-Buddhist religions (particularly for minority ethnic groups such as the Karen and Chin). The religious freedom situation in North Korea is particularly hard to gauge given the extreme lack of access provided by the Government; however, most indications are that it circumscribed religious freedom severely. The U.S. admissions program for East Asia accepts refugee cases referred by the UNHCR and U.S. Embassies. Over the past several years, the Department of State has worked closely with the UNHCR to strengthen the referral process so those individuals in need of resettlement can have access to the program.

#### EUROPE

The breakup of the Soviet Union initially led to a resurgence of religious practice throughout the region, but in recent years, the fear of newer religious groups, many of them with ties to coreligionists in other countries, has led to a backlash in a number of the newly independent states. Most states regulate religious groups and activities, favoring a specified set of "traditional" religions while denying certain privileges to other groups. In some countries, one's faith may be associated with ethnicity, patriotism, nationalism, or even with terrorism, and authorities may be suspicious of religious groups perceived as having political agendas and organizations. This is especially true in the Central Asian republics where, in the case of Uzbekistan and Turkmenistan, Muslims groups not approved by the State are seen as potential terrorists and suffer harassment or imprisonment. The U.S. refugee admission program provides resettlement opportunities to religious minority members (as identified in the Lautenberg Amendment) with close family ties to the United States. In addition, UNHCR recently has increased the number of referrals to the program. Refugee admissions based on grounds of religious persecution have been significant in both the Bosnia and Kosovo resettlement efforts. The U.S. refugee admissions program has provided protection to Muslims, Catholics, and Orthodox Christians as well as individuals of other religious minorities. The Department of State plans to continue to work with the UNHCR, nongovernmental organizations (both faith-based and non-sectarian), human rights groups, and U.S. missions to identify persons who qualify on religious grounds under the 1980 Act and for whom resettlement is appropriate.

#### LATIN AMERICA/CARIBBEAN

In general, religious freedom is recognized and enjoyed widely in Latin America. The key exception is Cuba, where the Government engages in active efforts to monitor and control religious institutions, including surveillance, infiltration, and harassment of clergy and members; evictions from and confiscation of places of worship; and preventive detention of religious activists. It also uses registration as a mechanism of control; by refusing to register new denominations it makes them vulnerable to charges of illegal association. However, despite these obstacles to religious expression, church attendance has grown in recent years. The U.S. refugee admissions program specifically includes religious minorities and other human rights activists among the list of eligible groups.

#### NEAR EAST AND SOUTH ASIA

Repression of religious minorities is common in many countries in the Middle East and South Asia. In Pakistan discriminatory legislation has encouraged an at-

mosphere of violence, which has led to acts by extremists against religious minorities, including Christians, Hindus, Ahmadis, and Zikris. Pakistan's support of America's War on Terror has exacerbated existing anti-Western feelings in elements of Pakistani society and led to fatal attacks against local and international Christian targets. In India responses by state and local authorities to extremist violence often were inadequate. In Saudi Arabia public non-Muslim worship is a criminal offense, as is conversion of a Muslim to another religion. In Iran members of minority religions continue to face arrest, harassment, and discrimination. Iranian refugees who belong to religious minorities (Baha'is, Jews, Zoroastrians, and Christians) are able to apply directly for U.S. resettlement. In addition the UNHCR and U.S. Embassies in the region facilitate access to the admissions program for individuals of other nationalities who may qualify on religious grounds. The Department of State plans to continue efforts to improve access to refugee processing through dialog with non-governmental organizations and human rights groups who may identify victims with valid claims based on grounds of religious persecution. The UNHCR also has addressed religious persecution issues in several regional workshops to increase the sensitivity of protection and resettlement officers to victims of religious persecution.

