

# THE FREEDOM OF THOUGHT REPORT 2016

## Key Countries Edition

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





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*Freedom of Thought 2016: A Global Report on Discrimination Against Humanists, Atheists, and the Non-religious; Their Human Rights and Legal Status*, was created by the International Humanist and Ethical Union (IHEU).

The International Humanist and Ethical Union is the worldwide democratic body for Humanist, atheist, rationalist, secular, ethical culture, and freethought organizations. Its mission is to represent and support the global Humanist movement, and to build a world in which human rights are respected and all can live a life of dignity.

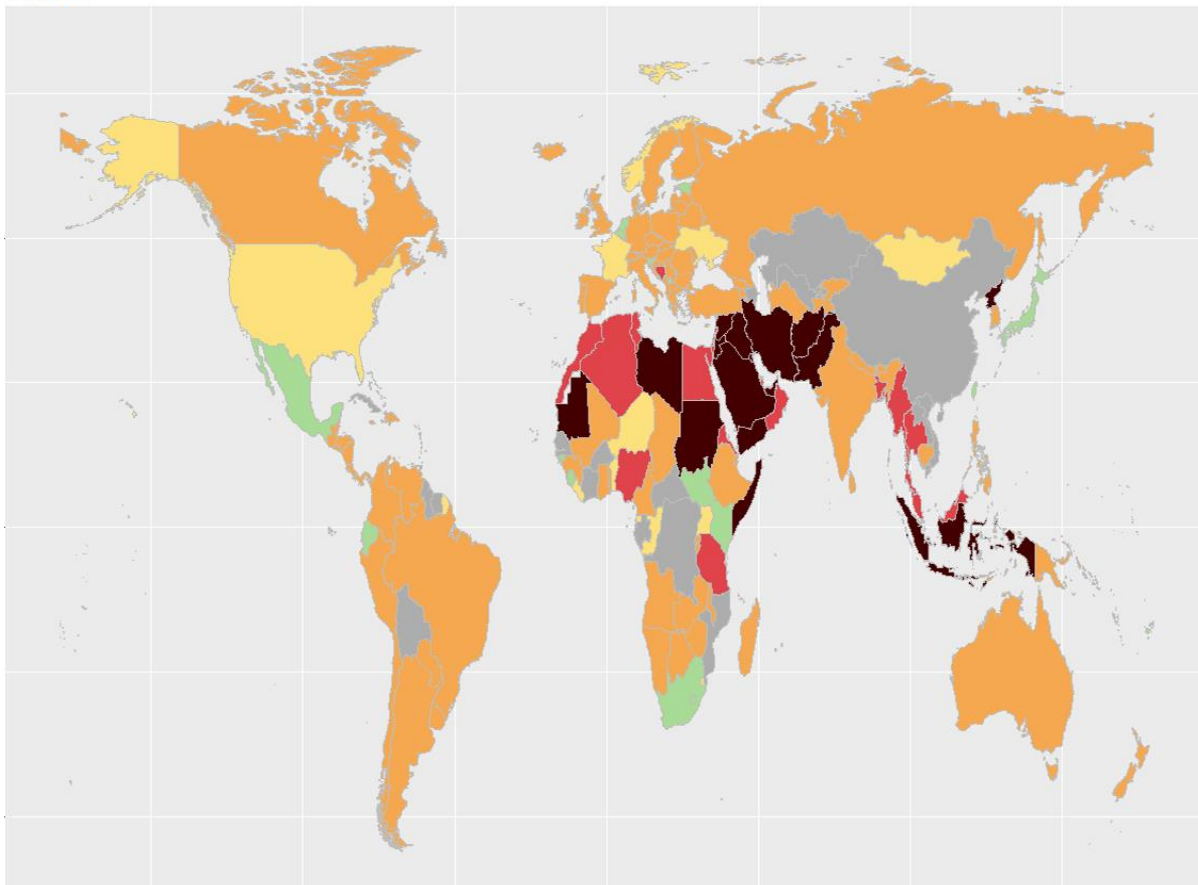
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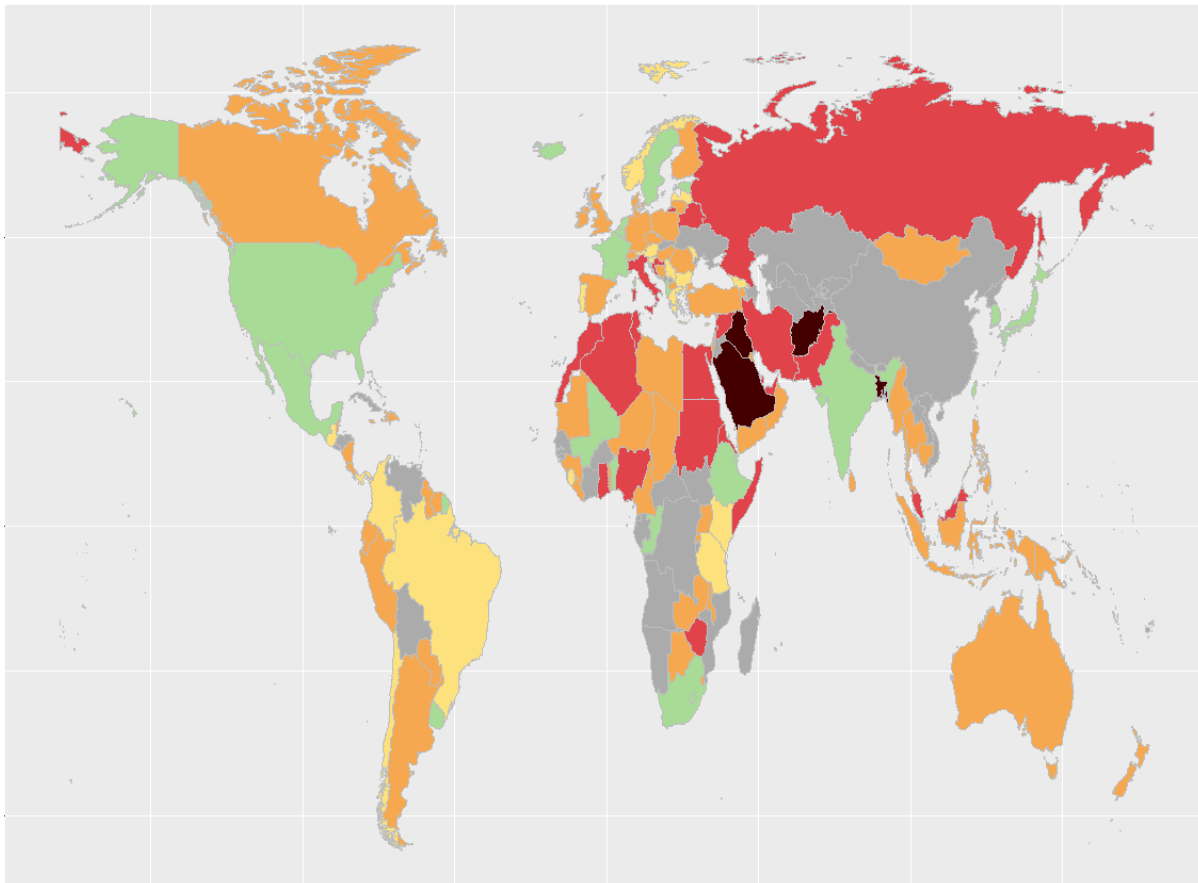
The cover image features a detail from a map produced using the data from this report.



Const.Govt

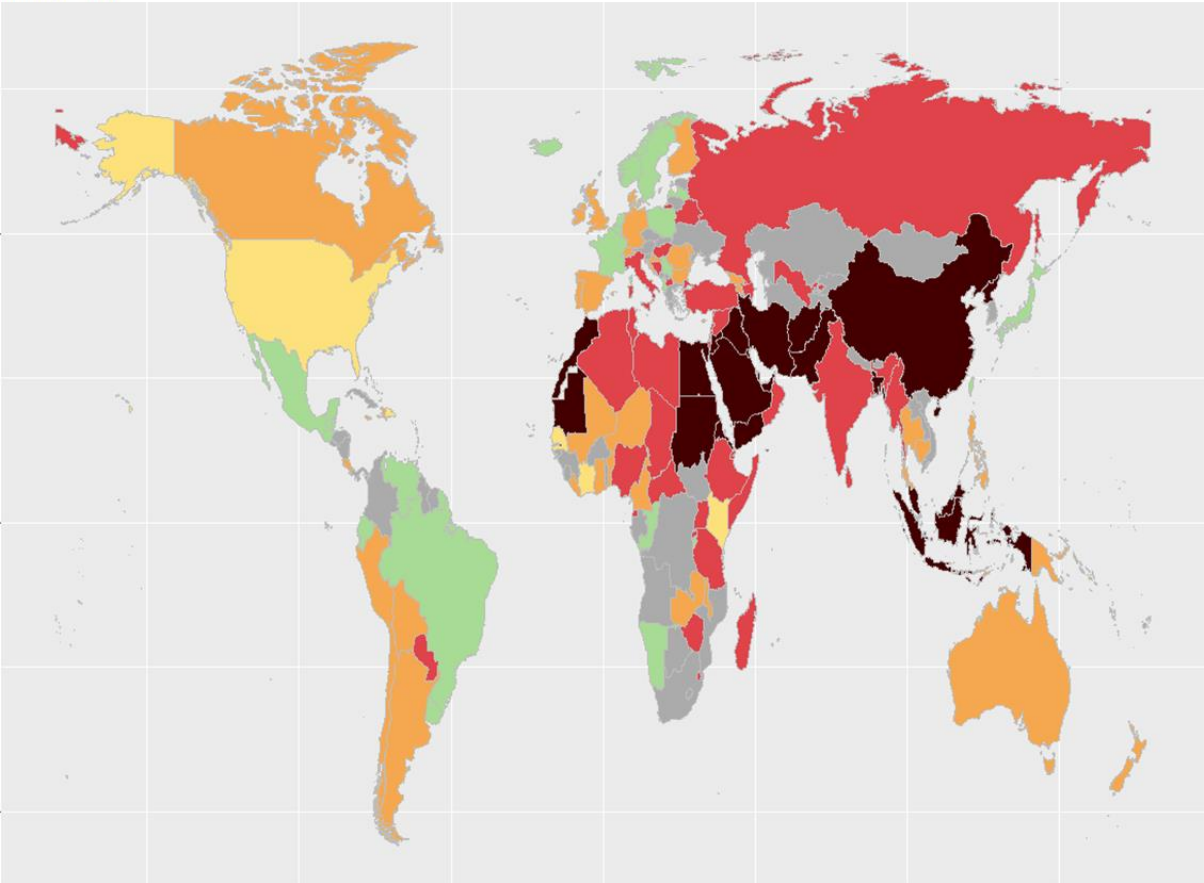


Edu.Child

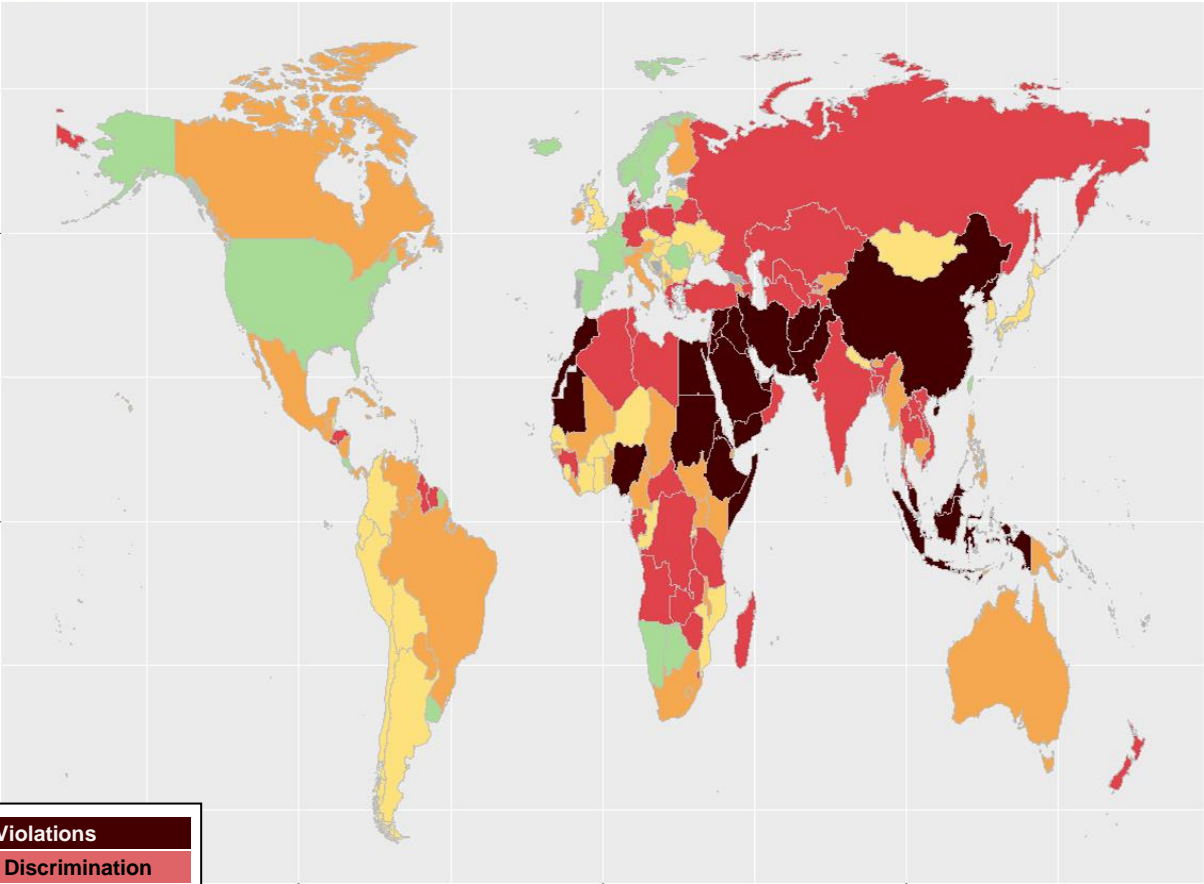


These maps depict the findings of the full Freedom of Thought Report which is available in a complete Online Edition at [freethoughtreport.com](http://freethoughtreport.com). They represent each of the four thematic strands of the Report: Constitution & Government, Education & Children's Rights, Society & Community, and Freedom of Expression & Advocacy of Humanist Values.

Society.Comm



Expression



Grave Violations
Severe Discrimination
Systemic Discrimination
Mostly Satisfactory
Free and Equal
No Rating

# Preface to the 2016 edition

By Andrew Copson

*Andrew Copson is President of the International Humanist and Ethical Union (IHEU)*

Published by the International Humanist and Ethical Union (IHEU), the Freedom of Thought Report is now in its fifth annual edition.

In 2012, our first edition was an expanded version of a submission by several of the IHEU's US Member Organizations to the US State Department Office for International Religious Freedom, and covered around 60 countries. In 2013 the report was expanded to include every country in the world. It was produced in-house with content by then-International Representative of the IHEU Matt Cherry, while Bob Churchill, now our Director of Communications, developed the format, ratings system and publicity. Since then, under Bob Churchill's editorship the Report has continued to evolve. Bob has coordinated a network of volunteers and IHEU Member Organization representatives to maintain and update the content, incrementally develop our unique country ratings system, and to champion the Report internally and to wider audiences.



For this five-year anniversary edition, the IHEU decided to convert the Freedom of Thought Report in a new online format. There is webpage for every country. The ratings system is now implemented with bespoke code as an integral part of the [freethoughtreport.com](http://freethoughtreport.com) website, and the way that we report the ratings for each country has become more nuanced. The Report is searchable by region, by the boundary conditions applied to each country, and by arbitrary search terms. We believe that the new Online Edition will make the report more user-friendly, more visible and more accessible than ever before, and crucially we'll be able to keep the information up to date and available all year round.

This is a tremendous development for the Report, and it comes at a crucial juncture in world affairs. As the Editorial Introduction to this edition explains, the rights and equality of the non-religious are under threat and there is an upsurge in the suppression of humanist values more broadly. Serious damage is being done to the brand of democracy, to secularism, and there are new threats to all our liberties. It is impossible to look at discrimination and persecution against the non-religious without also considering how human rights and democratic principles are upheld for everyone, and at the wider social and political contexts in which competing norms and values are clashing. The Freedom of Thought Report is now in a better position than ever before to achieve this overview and I commend it to you.

# Foreword to the 2016 edition

By Ahmed Shaheed

*Dr Shaheed is the United Nations Special Rapporteur on Freedom of Religion or Belief, as of 1 November 2016.*

The right to freedom of religion or belief is a right that is frequently misunderstood by its conflation with narrowly defined views on religious freedom.

Such narratives often overlook the fact that the freedom of religion or belief includes the freedom of thought and conscience, protected on an equal footing under international human rights law. Moreover, as the Human Rights Committee points out, “religion” and “belief” are to be understood broadly, covering theistic, non-theistic, and atheistic beliefs. Thus, the freedom of religion or belief protects individuals who adhere to traditional as well as new religions and to majority or minority faith communities, and those who are dissenters or who subscribe to no religion or belief at all or who are unconcerned. In fact, international human rights law protects both the freedom of religion and its corollary, the freedom from religion, for without the latter, the former has no practical meaning at all.



As I write these words at the end of 2016, I am deeply distressed by the rising intolerance related to religion or belief worldwide. Global trends clearly show a resurgence of religiously motivated action in the public square. While this phenomenon in and of itself, should not be a problem, it can become a challenge where it is accompanied by claims of religious privilege—contrary to the limits set by Article 5.1 (or indeed Article 18.3) of the International Covenant on Civil and Political Rights. On the one hand, there are the atrocious violations of religious freedom rights in situations of intra-state conflict as in the case of the monstrous crimes committed by the Daesh in Syria and Iraq; the brutal attacks on the Rohingya in Myanmar; or the heinous activities of the Boko Haram in Nigeria. On the other hand, established democracies are also reporting rising levels of intolerance including anti-Semitism and anti-Muslim sentiment. The outrage over the former and the shock over the latter often distract from the horror of the persistent violations of the human right to freedom of religion or belief in the numerous countries that suppress religious freedom either through blasphemy and apostasy laws or through other claims of privilege based on religion or belief.

Nearly 70 years after the proclamation of the Universal Declaration of Human Rights that protects the right to freedom of religion and freedom from religion for all, blasphemy is outlawed in at least 59 countries punishable with a prison term or in some cases death. At least 36 countries continue to enforce their anti-blasphemy laws. There are laws against apostasy in 22 countries, and at least 13 countries provide for the use of the death penalty for blasphemy or apostasy. While anyone can run afoul of these laws, and often there are allegations of the use of such laws for political purposes, these laws potentially automatically criminalize dissent and free-thinking, and victimize “non-believers”, humanists and atheists. What is even more shocking is the cruelty with which those who are accused of violating these laws are often punished—by state agents or by non-state actors, including neighbours and relatives.

I therefore welcome the publication of the 2016 Report of the International Humanist and Ethical Union, documenting the situation of atheists, humanists and free-thinkers all over the world. From Raif Badawi, who was sentenced to 1000 lashes and 10 years in prison in Saudi Arabia for alleged “blasphemy”; to Mohamed Cheikh Ould M’kheitir, who is facing the death penalty and incitement to murder in Mauritania for alleged “apostasy”; to Basuki Tjahaja Purnama, the mayor of Jakarta who is accused of “blasphemy” amidst an election; to those secular bloggers savagely hacked to death in Bangladesh by vigilante groups; to the scores languishing in prison in Pakistan and Iran and elsewhere for expressing views deemed offensive to religious sentiment; persecution and victimization in the name of religion are both chilling and widespread.

The IHEU report is an important reminder that the right to freedom from religion or belief is as fundamental as the right to freedom of religion, and that the same human right protects freedom of non-religious thought and non-religious belief as well; and that for some humanists, atheists, free-thinkers and the unconcerned the protection of this right can mean the difference between life and death. The report also underscores the principle that the rights and protections in the human rights framework should not, and cannot, be exercised in such a way as to destroy other fundamental rights articulated in the Universal Declaration, such as the right to life, the right to equal treatment before the law, the right to freedom of opinion and expression, and indeed the right to freedom of religion or belief itself. The documentation of rights violations is a crucial step in mobilizing actors against continued or further violations. It is my hope that this publication will not only shed light on existing practices that must change to conform to international human rights law,

but will also serve as a vigil to those who have been targeted by blasphemy and apostasy laws or otherwise been victims of religious intolerance the world over.

# Editorial Introduction to the 2016 edition

By Bob Churchill

*Bob Churchill is Director of Communications at the IHEU, and Editor of the Freedom of Thought Report*

This report records discrimination against the non-religious, from the relatively minor to the most serious. At that most serious end of the scale, we record how numerous states continue to systematically exclude or persecute non-religious people, or suppress a range of views that include humanist values, political secularism, and critical discussion of religion. These violations affect many millions of people who are directly discriminated against by the state, are marginalized or outright persecuted socially, or very often are intimidated into silence because even to say the words “I do not believe in this” might result in ostracism by family and friends. In extreme but all too common cases, to publicly dissent from religion may result in violence or criminal charges of “apostasy”.

In this Editorial Introduction we will focus on one current, transnational phenomenon, which perhaps represents the most-changing current trend relevant to the remit of this report in the past year. That trend is rising nationalistic populism.

Populism and nationalism are far broader issues than their effect on the rights and status of the non-religious, of course. However, it is worth considering their impact and how they relate to our topic in this report. ‘Populism’ is a buzzword in political commentary in many parts of the world, but the term identifies a real global trend toward a certain kind of politics.



## What is populism?

Few political parties self-identify with the label ‘populist’, unless they are simply trying to indicate popular support. The term is usually a criticism, because ‘populist’ amalgamates several negative political attitudes and strategies, which often occur more or less together:

- Demagoguery – appealing to people’s emotions, rather than their reasons or to evidence. Sometimes it is outright antagonistic to factual analysis and expertise, which are dismissed as ‘elitist’ and has given rise in English-speaking countries to the term ‘post-truth’. This manipulative approach often appeals to base tribalistic instincts and prejudices; it also often appeals to positive emotions around patriotism, togetherness, or nationhood, but defined in opposition to some class or group (whether foreign or domestic) who are alienated. It frequently promotes ‘direct democracy’ in a form that comes at the expense of considered or expert opinion.
- Anti-elitism – rejecting ‘the elite’, ‘the establishment’ or ‘political classes’ is often a central feature of populist movements. There is nothing illegitimate about criticising authorities, and it is indeed admirable and necessary to expose genuine corruption and to hold lawmakers and officials to account. However, populist movements paint diverse groups as a homogenous ‘elite’ and uniformly blame these for an array of social and political ills. The vision for how things might be different if all the ‘elites’ were ‘overthrown’ is usually a vague or undetailed plan, or naively presumes that once ‘the people’ are in charge everything will be fine. It cites popularity and sovereignty alone as

constitutive of democracy, a kind of 'majority rule', and rejects pluralism and minority rights.

- Nationalism, nativism and traditionalism – a narrow and myopic focus on national self-interest, or the interest of a selectively or hypocritically defined “indigenous” people, often with a promise of return to a golden age. Whether it is the neo-Nazi Golden Dawn party in Greece drawing a false equivalence of Hitler’s National Socialism with the values of classical Greece and ‘spirituality’<sup>1</sup>, or the pseudo-scientific revisionist history of India associated with *Hindutva* nationalism that has returned under Prime Minister Narendra Modi (and has been advocated by him)<sup>2</sup>; or the United States president-elect Donald Trump’s simplistic call to “Make America great again” — a warped or idealised image of the past (whether recent or ancient) is evoked as a banner for the future. All of these trends are anathema to a broadly humanist view of the world, which respectively tends to favour:

- considered, evidence-based political thinking by informed citizens, which should of course not preclude actual experts
- recognition that business leaders, politicians and civil servants are citizens and human beings too (and are therefore fallible, or may even be corrupt, but then should be held accountable not demonized)
- progressive values, tolerance, and also internationalism (not in the sense of homogenous or neoliberal globalization, but at least in the sense of preferring ever-greater cooperation between different parts of the world)

Not all populist movements are conservative-traditionalist. (For example, Italy’s Five Star movement – while it is accused of lacking detail in how the greatly reduced state it envisages would work, and while some of its claims against opponents are dubious – appears to be secular, and positively progressive in some policy positions such as calling for same-sex marriage).

However, that third element of populism (nationalism, nativism, traditionalism) seems all too often to encompass a retrograde vision of the future.

## Traditionalist and religious authoritarianism

Sometimes, nationalistic populism not only voices opposition to humanist values (which is a perfectly legitimate activity) but demonizes those values and the people who hold them. Often, nationalistic populism is not skeptical (promoting rational reservations about truth-claims) but rather outright denialist about empirical theories that it regards as disagreeable. And far too often nationalistic populism asserts not only a right to freedom of belief (which we can all share) but promotes a kind of traditionalist or religious authoritarianism.

On this last point, the populist’s use of ‘golden age’ rhetoric or religious identity are often viewed from the outside as transparent attempts to win the support of naive groups who are keen to return to an illusory national youth, or to promote their particular faith. This is a view which may have some considerable truth to it. Nevertheless, the rhetorical commitment to such values, even when it is Machiavellian, frequently results in the legal entrenchment of those values and in the subjecting of those who do not share them to nevertheless share in the same constraints. It results in the demonization of those who do not share those values, and the suppression of the alternative values they hold.

The non-religious are not the only people affected by such manoeuvres, of course: various shades of liberal, progressive, reform and non-conformist religious individuals will also find their rights and liberties curtailed under the traditionalist or religious authoritarianisms that are promoted by new and upcoming populist governments, just as they already do under longer-established theocratic regimes.

Europe is where populist candidates and parties appear to be rising most densely. It would appear this is a response to economic downturn, the ‘migration crisis’, and to fears (both real and imagined) about Islam, Islamism, and Jihadist terror.

## Populism linked to traditionalist and religious authoritarianism

In November 2016, presidential elections in Bulgaria, Moldova, and the United States all saw candidates and parties widely recognised as populist or nationalist elected to power.

Bulgaria's president-elect, Rumen Radev, a former Air Force commander with no political experience, is pro-Russian and anti-immigration. He won the apparent support of the Orthodox Church, which itself said that the government should "in no way allow more refugees into our country" on the basis that it wanted to preserve Bulgaria as a God-given country for Orthodox Christians<sup>3</sup>. Though standing as an independent, Radev also won the support of the Bulgarian Socialist Party, the demographic base of which leans strongly towards the institutions of the army and the Orthodox Church.

In Moldova, Socialist Party leader Igor Dodon, also known as a strong admirer of Russian president Vladimir Putin, won the presidential election (though narrowly, and with some reported irregularities) over pro-European candidate Maia Sandu. Dodon had received glowing support from the Moldovan Orthodox Church (in effect a branch of the Moscow Patriarchate). The Orthodox Bishop Marchel openly supported Dodon, calling him a "Christian and patriot", and contrasting him favourably with his opponent, Ms Sandu, who was disparaged for being unmarried and for not having children. Others "accused" Sandu of being a lesbian on those same grounds. Dodon and the Bishop Marchel both cited the support of gay people for Ms Sandu as a reason not to vote for her<sup>4</sup>. On claiming victory, Dodon promptly invited Patriarch Kirill to visit Moldova, adding: "I would like to assure you that the Moldovan people are forever faithful to the Orthodox Church."<sup>5</sup> Dodon overtly compares himself to the Russian president, saying "I will run Moldova just the same way Putin runs Russia, I assure you... In the current anarchy that we see around, Moldova immediately needs an iron fist, a strong vertical of power."<sup>6</sup> Having promised everything to anyone who would listen during the campaign, he could also be compared to Donald Trump.

US president-elect Trump courted and won the support of conservative Christian leaders<sup>7</sup>. Some commentators have noted that since claiming victory, Trump has rowed back on some of the pledges made during the campaign, but policy pledges around conservative religious and nationalist values are being upheld in his post-election statements and appointments. He has said that his promise to appoint pro-gun, pro-life Supreme Court judges would be kept, and responding to the prospect of women finding it harder to obtain an abortion he said: "Yeah, well, they'll perhaps have to go, they'll have to go to another state."<sup>8</sup> He offered the job of Education Secretary to prominent creationist Jerry Falwell<sup>9</sup> but in the end went with billionaire Republican party donor Betsy DeVos, a Christian campaigner against marriage equality and ardently in favour of the school vouchers system. The National Education Association criticised her appointment saying: "her efforts over the years have done more to undermine public education than support students. She has lobbied for failed schemes, like vouchers — which take away funding and local control from our public schools — to fund private schools at taxpayers' expense."<sup>10</sup> The voucher system effectively channels taxpayers' money to religious schools in particular, which do not have to serve families of all religions or beliefs equally. Rabbi Jack Moline, president of Interfaith Alliance, commented: "Americans are always free to send their children to private schools and religious schools, but raiding the public treasury to subsidize private businesses and religious organizations runs against the public trust and the Constitution" and that the move suggests that Trump "has little regard for... the constitutional principle of separation of church and state."<sup>11</sup> Trump had previously pledged to repeal the Johnson Amendment, which would return to tax-exempt churches the right to campaign in party politics.<sup>12</sup> Along with his running mate, Mike Pence, there are various threats to LGBTI rights<sup>13</sup>. Trump has also said he would like to criminalize the burning of the American flag with prison terms or the revocation of citizenship, a policy widely-denounced as contrary to free expression<sup>14</sup>, as well as being a violation of the human right to citizenship. Executive Director of the American Humanist Association, Roy Speckhardt, comments: "No matter how thin Trump's veneer of religiosity may be, make no mistake that the Religious Right has just assumed a mantle of power that exceeds their fondest hopes and humanists' worst nightmares."<sup>15</sup>

There are elements of illiberalism or outright autocracy in the policy platforms of all these president-elects, and in addition to the purported pro-Russian links, there are elements of playing up to conservative nationalist identities, often including religious norms or promoting a particular religious identity.

It is worth looking at where other recent governments with similar profiles have gone in recent years.

Hungarian Prime Minister Viktor Orban, who returned to power in 2010 at the helm of the ruling Fidesz party, has said that "liberal democracy" has failed to solve all the country's problems and announced the end of "the era of liberal democracy". His Hungary would be an "illiberal" or "non-liberal" state he said, adding: "while of course respecting the values of Christianity, freedom and human rights"<sup>16</sup>.

In fact Orban has also tightened his grip over the media<sup>17</sup>. Over his political life, Orban has moved away from his early-career advocacy of a secularist position, where he actually demanded church-state separation, gradually adopting more

and more religious rhetoric<sup>18</sup>. As detailed in this report there has been a significant Christianization of the state, with beneficial tax advantages for certain groups, increased church funding, discriminatory funding of religious schools, and a significant increase in the proportion of schools that are religious.

In Poland, the nationalistic, anti-EU Law and Justice Party (PiS), led by Jarosław Kaczyński, came to power in October 2015. The government immediately set about stacking the high court with judges sympathetic to their conservative agenda, curtailed judicial oversight of new legislation, and took tighter control of state-owned media. The long-standing enforcement of various Catholic beliefs by the state was also accelerated. Over the summer of 2016, a proposal to ban abortion in almost all circumstances looked set to pass through the Polish parliament. (PiS had not initiated the proposals, but had run with them – both PiS leader Jarosław Kaczyński and the prime minister Beata Szydło had earlier supported the ban, and PiS MPs voted unanimously in favour of proceeding the bill to parliamentary committee stage.) The proposed ban was derailed in response to a nationwide outcry in favour of retaining already restrictive abortion rights. Huge protests culminated in early October 2016 with strike action predominantly by women, which appeared to shift public opinion and force the government into a climbdown. At the time, one government minister who had supported the ban said the protests “caused us to think and taught us humility.” However, less than two months later at a ceremony in Krakow attended by the president, Jesus Christ was “officially” declared the reigning King of Poland. Just a few years ago the church had dismissed right-wing calls to enthrone Christ as the monarch, but in 2016 under a new, more autocratic and less liberal government, the Conference of Polish Bishops felt empowered to say that this coronation was “not the culmination, but the beginning of the work of enthronement of Jesus Christ in Poland and the Polish nation”.<sup>19</sup>

In Turkey, India and Egypt, while not quite conforming to the outsiders-against-the-elites element of populism, do all share the ‘strongman’ leader demagoguery and regressivism, and both have actively suppressed atheist groups or individuals and bolstered certain conservative religious norms.

It is worth restating that the link between populism and increased religious conservatism does not always hold. The President of the Philippines, Rodrigo Duterte, has paid very little lip-service to Catholicism in the predominantly Catholic country. In fact he has expressed staunch criticism of the Catholic Church (which campaigned against him). “I have this deep, abiding faith in God but that does not mean that you have to have a religion,” he said in May 2016<sup>20</sup>. Since taking office he has encouraged a wave of vigilantism against suspected drug addicts and criminals, a murder spree which was a central plank of his campaign.

Not all populists use traditionalism and religion, or promote such beliefs. But where they do, they represent a serious additional threat to the rights and liberties of those who do not share in ‘conservative’ values.

## A less liberal future?

It is important to note that this is not simply a matter of pitting broadly conservative religious values against broadly liberal humanist values. It is also not the case that this report merely documents instances where religious values are promoted over non-religious, nor is there any objection to individuals practicing religion in their own ways. Rather, the concern here is that in some countries populist movements linked to conservative religious values are attempting to (and in some cases are already succeeding) re-establish or entrench privileges for religion in the public sphere, or attempting to restrict the rights and liberties of all in the name of religious values.

Many positive feelings may drive some people to populism: there is nothing wrong with seeing genuine injustices or inequalities and wanting to see changes that are radical. But if your policies are really aimed at genuine radical beneficial change, then those policies must also be sound, workable, and not themselves represent massive violations of human rights and dignity.

There are various reasons to fear and resist nationalistic populism: the degradation of rights of refugees when it is anti-immigrant, the threat to the principles of open democracy when it trades in prejudice and disinformation, the risk to peace and stability when it is mindlessly radical, and indeed the threat to religious minorities when it tends toward the establishment or supremacy of a single religion. The aim here has been to show that we should also be concerned about the very real risk in some countries that under nationalistic populism the rights of the liberal religious and the non-religious to manifest certain humanist values may be degraded or even lost. ([edit](#))

## References

1. A Golden Dawn spokesperson wrote, “What would the future of Europe and the whole modern world be like if World War II hadn’t stopped the renewing route of National Socialism? Certainly, fundamental values which mainly derive from ancient Greek culture, would be dominant in every state and would define the fate of peoples. Romanticism as a spiritual movement and classicism would prevail against the decadent subculture that corroded the white man. Extreme materialism would have been

discarded, giving its place to spiritual exaltation”. <[tvxs.gr/news/ellada/o-kasidiaris-eksymnei-ton-xitler](http://tvxs.gr/news/ellada/o-kasidiaris-eksymnei-ton-xitler)>

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# General Introduction

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

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

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

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

## A secularizing world

Any rights violations and discrimination are important, even when only small numbers of people are affected. However, the non-religious are not necessarily a very small group. Atheists (those who do not believe in any god), and humanists (those who embrace a morality centered on human welfare and human flourishing that does not appeal to any supernatural or divine entities), and others who consider themselves non-religious, constitute a large and growing population across the world. A detailed survey in 2012 revealed that religious people make up 59% of the world's population, while those who identify as "atheist" make up 13%, and an additional 23% identify as "not religious" (while not self-identifying as "atheist"). The report by the WIN-Gallup International Association<sup>1</sup> is in line with other recent global surveys. It shows that atheism and the non-religious population are growing rapidly—religion dropped by 9 percentage points and atheism rose by 3 percentage points between 2005 and 2012—and that religion declines in proportion to the rise in education and personal income, which is a trend that looks set to continue. Even in countries which at first glance seem to have few self-identifying non-religious people, it should be remembered that often it is these states or societies that are most oppressive of non-religious views.

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

## Freedom of thought under the human rights framework

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

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

— Article 18, Universal Declaration of Human Rights

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

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

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

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

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

Religious believers and non-believers are equal in human rights because they are all human, irrespective of their religion or beliefs. Just as the profession of religion is protected as a manifestation of belief and conscience, so is the atheist’s criticism of religious beliefs and practices. Just as speaking in support of one’s religious convictions and moral values can be of fundamental meaning and importance to the individual, so can advocating core humanist values of democracy, freedom, rationalism, or campaigning for human rights, equality and the principles of secularism. As the United Nations says, “religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life”<sup>2</sup>.

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

## Other rights and freedoms

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

“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”  
— Article 19, Universal Declaration of Human Rights

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

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

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

## Rights violations and discrimination against the non-religious

### Apostasy and blasphemy laws

In some countries, it is illegal to be, or to identify as, an atheist. Many other countries, while not outlawing people of different religions, or no religion, forbid leaving the state religion. And in these countries the punishment proscribed in law for “apostasy” (converting religion or declaring oneself not of a religion) is often death. In fact, we document 22 countries which criminalize apostasy. In 12 of those countries (Afghanistan, Iran, Malaysia, Maldives, Mauritania, Nigeria, Qatar, Saudi Arabia, Somalia, Sudan, United Arab Emirates, Yemen) “apostasy” is in principle punishable by death. Pakistan doesn’t have a death sentence for apostasy but it does for “blasphemy”, and the threshold for blasphemy can very low. So, in effect you can be put to death for expressing atheism in 13 countries.

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

The ‘crime’ of criticising a religion is not always called “blasphemy” or “blasphemous libel”; some countries outlaw “defamation of religion”; sometimes is included under hate speech laws (i.e. some hate speech laws outlaw expressions that fall well below any sensible standard of actually inciting hatred or violence); some quasi-“blasphemy” laws outlaw instead “hurting religious sentiments” or “insulting religion”. As documented in this report, there are legal restrictions against expressing “blasphemy”, defaming or insulting religion or religious beliefs, or offending religious feelings etc, in 74 countries. This is higher than some other lists put the figure. Our report *does* include laws which use variants of the word ‘blasphemy’ or ‘defamation of religion’, ‘hurt sentiments’, ‘insult’, etc, and including anti-hatred laws where those laws appear to be usable to restrict what should be legitimate free expression about religion. We do *not* include laws which appear genuinely to prohibit incitement to hatred only.

Of these countries with “blasphemy”-type restrictions, 43 allow for a prison term for this crime. And the crime of “blasphemy” is punishable by death in a further 6 countries: Afghanistan, Iran, Nigeria, Pakistan, Saudi Arabia and Somalia. In addition, most of the twelve countries which punish “apostasy” with death also sometimes treat ‘blasphemy’ as evidence of apostasy.

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

## Other discriminatory laws

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

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

Religious privilege is also seen in many countries’ public services and public education. The most common and substantial of these privileges is religious control of state-funded schools. For example, in Northern Ireland 94% of state funded schools are religious in character. This not only reinforces sectarianism beyond the school gate, but also excludes the non-religious. In England and Wales, 16% of state-funded school places (or 1.2 million children), are subject to admission policies that discriminate against atheists.

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

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

## References

1. <[wingia.com/web/files/news/14/file/14.pdf](http://wingia.com/web/files/news/14/file/14.pdf)>
2. UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

# The Ratings System

Every country in this report is assessed against a range of “boundary conditions”. These are statements which may or may not apply to each country. Each boundary condition is associated with one of four thematic strands (these are the vertical columns in the table below). Also, each boundary condition is placed at a given level of severity (these are the coloured horizontal rows in the table below). The following table lists all the possible boundary conditions.

Constitution and government

Education and children’s rights

Family, community, society,  
religious courts and tribunals

Freedom of expression  
advocacy of humanist values

Grave Violations			
<p>Complete tyranny precludes all freedoms of thought and expression, religion or belief</p> <p>Religious authorities have supreme authority over the state</p> <p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>Quasi-divine veneration of a ruling elite is enforced, subject to severe punishment</p> <p>The non-religious are barred from holding government office</p>	<p>Religious indoctrination is utterly pervasive in schools</p> <p>Religious instruction in a significant number of schools is of a coercive fundamentalist or extremist variety</p>	<p>Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence</p> <p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>‘Apostasy’ or conversion from a specific religion is outlawed and punishable by death</p> <p>‘Blasphemy’ or criticism of religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
Severe Discrimination			
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p> <p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative,</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>‘Apostasy’ is outlawed and punishable with a prison sentence</p> <p>‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with</p>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		<p>religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	a prison sentence
<b>Systemic Discrimination</b>			
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p>	<p>There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism</p> <p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
<b>Mostly Satisfactory</b>			
There is a nominal state	State-funded schools offer	Religious courts or tribunals	Some concerns about political

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>church with few privileges or progress is being made toward disestablishment</p> <p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>religious instruction with no secular or humanist alternative, but it is optional</p> <p>State-funded schools provide religious education which may be nominally comprehensive but is substantively biased or borderline confessional</p>	<p>rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear</p> <p>Localised or infrequent but recurring and widespread social marginalisation or prejudice against the non-religious</p>	<p>or media freedoms, not specific to the non-religious</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>
Free and Equal			
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values
No Rating			
<p>Insufficient information or detail not included in this report</p> <p>No condition holds in this strand</p>	<p>Insufficient information or detail not included in this report</p> <p>No condition holds in this strand</p>	<p>Insufficient information or detail not included in this report</p> <p>No condition holds in this strand</p>	<p>Insufficient information or detail not included in this report</p> <p>No condition holds in this strand</p>

## How countries are rated

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

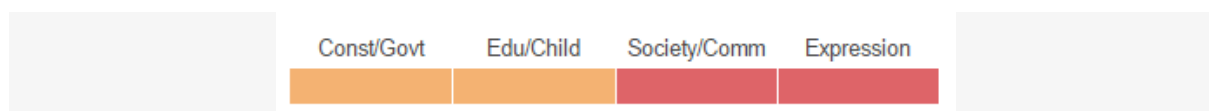
Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive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

Example ratings table for one country

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

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

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



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

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

## Another look at the full list of boundary conditions

It is common for a condition on the more free end of the spectrum (except for the “Free and equal” conditions) to be *superceded* by a condition on the more severe end of the spectrum. In this case, the less severe condition may remain implicit, and not listed against the country in the report. For example: if blasphemy is punishable by a maximum sentence of “death”, then the less severe boundary condition stating that blasphemy that is punishable by “imprisonment” may be omitted in an individual country’s ratings table.

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

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

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

## Cautions

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

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

We may still be overlooking serious concerns in some countries where we have little on-the-ground contact and the last thing we want to achieve is to make already marginalised non-religious people feel like their problems are being ignored or overlooked because we’ve given the country a better rating than it deserves, or because we have overlooked issues of concern. If you find yourself in this situation, or you have any other information including mitigation or errata for a given country, please take it as a prompt to reach out to us and make contact via [freethoughtreport.com/contact](https://freethoughtreport.com/contact).

**This “Key Countries Edition” of the report** contains entries on countries that are mentioned in the introductory material, or which have other significant updates, or regional impact, or which provide a variation in the application of the ratings schema. Countries included in this slimmed down edition are *not* exclusively the worst rated and nor does exclusion of a country from this edition mean that there have not been significant developments or violations in that country. The full report is available in the Online Edition via [freethoughtreport.com](http://freethoughtreport.com) where each country is featured with its own webpage and interactive ratings table.

# Afghanistan

Const/Govt    Edu/Child    Society/Comm    Expression

Afghanistan has suffered from chronic instability and conflict in its modern history from the Cold War to the civil wars between the Mujahedeen and the Taliban. The Taliban was removed from power in 2001 (but still exists) and Afghanistan has had a democratically elected government since 2004. 2016 was marked by a period of rapid ISIS brutality that adds another front to the already existing mix of Islamist militant groups. Human rights abuses, including the torture of detainees, violence against women and children, and attacks on journalists remain a serious problem. Security forces continue to operate largely with impunity. Indiscriminate attacks by the Taliban and ISIS have led to a sharp rise in civilian deaths particularly amongst minority sects including Shiites.

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression advocacy of humanist values

State legislation is largely or entirely derived from religious law or by religious authorities

Religious indoctrination is utterly pervasive in schools

Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence

Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious

It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities

Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed

'Apostasy' or conversion from a specific religion is outlawed and punishable by death

'Blasphemy' or criticism of religion is outlawed and punishable by death

It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed

Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative

Systemic religious privilege results in significant social discrimination

Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views

Prohibitive interreligious social control (including interreligious marriage bans)

Religious control over family law or legislation on moral matters

## Constitution and government

State legislation is largely derived from religious law, which is not only contradictory to some articles of the constitution but also to its international commitments to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. For example, despite constitutional guarantees of freedom of religion, apostasy is still punishable by death. Although the constitution protects certain basic rights such as freedom of religion and belief, or freedom of press, nonetheless, the government, regional leaders and local chiefs frequently violate individuals' basic rights. Thus, effective enforcement of the constitution is a continuing challenge due to its contradictory commitments, inexperienced judges and the lack of a tradition of judicial review.

Article 2 of the constitution explicitly states that followers of religions other than Islam are "free to exercise their faith and perform their religious rites within the limits of the provisions of the law" implying that Islam is privileged in some way – even implying a trump on the law.

Article 7 specifically obligates the state to abide by the Universal Declaration of Human Rights, which includes commitments to religious freedom and the right to change one's religion, as well as the right to freedoms of expression and assembly. However, Article 3 of the constitution also declares that Islam is the official "religion of the state," that "no law can be contrary to the beliefs and provisions of the sacred religion of Islam," and that "the provisions of adherence to the fundamentals of the sacred religion of Islam and the regime of the Islamic Republic cannot be amended."

Although the constitution expressly protects free exercise of faith for non-Muslims, in situations where the constitution and penal code are silent, such as apostasy and blasphemy, the constitution also instructs courts to rely on the Hanafi School of Sunni Islamic jurisprudence.

The Office of Fatwa and Accounts within the Supreme Court interprets Hanafi jurisprudence when a judge needs assistance in understanding its application. Courts continue to rely on Hanafi interpretations of Islamic law, even in cases which conflict with the country's international commitments to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

The constitution also grants that Shia law may be applied in cases dealing with personal matters where all parties are Shiite. But there is also no separate law applying to non-Muslims.

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

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

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

## Education and children's rights

### Children affected by conflict

In 2016, the latest update from the United Nations Assistance Mission to Afghanistan (UNAMA) released figures for the first nine months of the year, which documented 639 conflict-related deaths of children and 1,822 injuries; this is 15 percent higher than the same period in 2015 and much higher than the years 2013 and 2014.

[unama.unmissions.org/unama-releases-civilian-casualty-data-third-quarter-2016](http://unama.unmissions.org/unama-releases-civilian-casualty-data-third-quarter-2016)

### Religion in schools

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

In government-controlled schools, religious education is taught more than general education, and the new government has promised more religious education. In privately run madrassas, the schooling is even more skewed, with the instruction almost entirely religious.

## Family, community and society

### Violence against women

"Violence against women is largely ignored by Afghanistan's judicial sector," said Veeda Saghari, a woman attending a small rally in Western Kabul. "That is why all kinds of violence against women such as acid throwing, beating, stoning, informal community tribunal verdicts, burning, forced divorces, forced marriages, forced pregnancies, forced abortions have reached a peak."

[rawa.org/temp/runews/2016/08/26/more-than-5000-cases-of-violence-against-afghan-women-recorded-in-six-months.html#ixzz4Rpb1m8Gg](http://rawa.org/temp/runews/2016/08/26/more-than-5000-cases-of-violence-against-afghan-women-recorded-in-six-months.html#ixzz4Rpb1m8Gg)

These words reflect many cases of violence against women recorded recently.

In late October 2015, a 19-year-old woman named Rukhshana was stoned to death, having been accused of adultery. She was forced into a dug pit and stoned by Taliban and local people. Again the murder was filmed. President Ashraf Ghani called for an investigation and sent a delegation to investigate the case, following a public outcry after the footage went viral on social media. Maulavi Baleegh, who is a prominent member of the National Ulema Council, the country's highest religious authority, and an adviser to Mr. Ghani on religious affairs, made it clear in interviews and sermons that he believes in the stoning to death of adulterers; and the investigation revolved around the question of whether stoning a woman to death over an allegation of adultery was in accordance to Sharia Law, instead of being about the murder of Rukhshana. A presidential decree known as the Elimination of Violence Against Women Act, which should have

outlawed the stoning and flogging of adulterers, was issued in 2009, but never ratified by Parliament.  
<[nytimes.com/2015/11/08/world/asia/afghan-mullah-leading-stoning-inquiry-condones-practice.html](http://nytimes.com/2015/11/08/world/asia/afghan-mullah-leading-stoning-inquiry-condones-practice.html)>

Following a donor conference in Brussels, October 2016, Human Rights Watch complained that international donors “have backpedaled from holding the Afghan government to account for rampant human rights violations... The benchmarks set at the conference – the product of months of negotiations between donors and the Afghan government – make it perfectly clear that rights have slipped off the table.” Women’s participation in peace negotiations was a hot topic amongst activists, some of whom managed to get visas and attend the Brussels Conference. Yet their fear was realized: “Afghanistan’s roadmap for involving women in the peace process has only been described in broad principles and lacks any detail about specific tasks, timelines, and benchmarks.”  
<[hrw.org/news/2016/10/06/afghanistan-donors-splash-cash-bury-rights](http://hrw.org/news/2016/10/06/afghanistan-donors-splash-cash-bury-rights)>

Parwiz Kambakhsh, a student and independent journalist, was sentenced to death in 2007 by a local court for printing and circulating an article critical about the rights of women in Islam. This was reported as a violation of the Afghan Media Law. Kambakhsh was immediately arrested. Intensive diplomatic negotiations between the international community and Afghan government surrounded his case. Kambakhsh was secretly conveyed from jail to a secure place and was kept there for some days under great security until he left the country.  
<[facebook.com/engQutbuddin.helal/posts/315434655303808:0](https://facebook.com/engQutbuddin.helal/posts/315434655303808:0)>

## Freedom of expression, advocacy of humanist values

Freedom of expression in Afghanistan has rigid margins and limitations, in particular when it runs up against religion. A popular slogan exemplifies the reactionary suppression of ideas: “One is free to express, but not after expressing it”.

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

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

### “Apostasy”

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

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

In 2006, a Muslim man, Abdul Rahman, who converted to Christianity faced prosecution for his apostasy. All pleas to throw the case out were rejected at once; the judge vowed to resist international pressure and threatened to sentence Abdul Rahman to death unless he reverted back to Islam. His death was prevented when President Karzai, under the strong advocacy and pressure of international community, requested the Supreme Court to spare him of his charges. The charges were dropped because of lack of evidence and ostensibly his mental instability. He left Afghanistan shortly thereafter.  
<[answering-islam.org/authors/clarke/apostasy\\_freedom.html](http://answering-islam.org/authors/clarke/apostasy_freedom.html)>

### “Blasphemy”

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

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

## Farkhunda Malikzada “blasphemy” murder

In March 2015 Afghanistan witnessed the most shocking murders in recent years, when Farkhunda Malikzada was beaten to death and then her body lit on fire by a mob in Kabul. The violence followed false accusations that she burnt a copy of the Qur'an. Farkhunda had reportedly questioned elderly local men about their habit of selling superstitious talismans to vulnerable women. The attack was captured on phone cameras, with many men seen looking on as she was killed. The trial of men accused of her murder was, according to human rights groups, “both rushed and riddled with due process violations.”

[hrw.org/news/2015/07/07/dispatches-11th-hour-justiceforfarkhunda](http://hrw.org/news/2015/07/07/dispatches-11th-hour-justiceforfarkhunda)

Her brutal death triggered different reactions from human rights activists and clerics of both high and low levels. Among others, Ayaz Niazi, the prominent imam of Wazir Akbar Khan Mosque (attended by many high government officials and most favored by the Presidential Palace) warned against taking any action against the attackers. Ayaz Niazi said in his Friday's sermon: “My appeal to the judicial and legal institutions is to act with caution ... When the people's most important element of belief is insulted, they are not responsible to see if this [alleged blasphemer's] mind is working or not working. You have to be careful. This is a huge mistake. If you start arresting people, they will probably revolt. It will be difficult to rein them in”.

[theguardian.com/world/2014/oct/24/afghanistan-express-article-isis-taliban-islam-blasphemy](http://theguardian.com/world/2014/oct/24/afghanistan-express-article-isis-taliban-islam-blasphemy)

## Afghanistan Express “blasphemy” events

Another blasphemy case appeared in 2014 after Qutbuddin Hilal, ex-Deputy Prime Minister of the Islamic Republic of Afghanistan, and the son-in-law of Gulbuddin Hekmatyar (leader of Hizb e Islami) noticed a “blasphemous” piece in the Afghanistan Express newspaper. Some lines of the article were underlined by him and were posted on his Facebook page. The image was shared by his followers which are predominantly male Pashtuns.

[ferl.org/a/afghan-blasphemy-case-an-early-test-for-new-government/26654627.html](http://ferl.org/a/afghan-blasphemy-case-an-early-test-for-new-government/26654627.html)

His post went viral on the internet and was reported by leading international news agencies from the Middle East to the USA and Europe. Ultimately, another warlord, Abdurrah Rasul Sayyaf, condemned the blasphemous piece and called for the arrest of the author and the news agency. It transpired that the article had been copied from the personal website of the author, Ahmad Javeed Ahwar, a writer and a social media activist, and was published without his permission. A demonstration was held in Kabul where the crowd demanded punishment of the author. The newspaper office was shut down and the owners were arrested. President Ashraf Ghani and Chief Executive Abdullah Abdullah, assured people of Afghanistan of taking all the required measures regarding the arrest and trial of Ahmad Javeed Ahwar.

[ferl.org/a/afghan-blasphemy-case-an-early-test-for-new-government/26654627.html](http://ferl.org/a/afghan-blasphemy-case-an-early-test-for-new-government/26654627.html)

Reportedly, most of the coworkers of the newspaper are said to have sought asylum in European countries.

[theguardian.com/world/2014/oct/24/afghanistan-express-article-isis-taliban-islam-blasphemy](http://theguardian.com/world/2014/oct/24/afghanistan-express-article-isis-taliban-islam-blasphemy)

NAI, which appears to be the only local Afghan NGO that campaigns of support of open media in Afghanistan, condemned Ahmad Javeed Ahwar for violating Afghan Constitution.

## Broader freedom of expression issues

The constitution protects freedom of expression and of the press; however, the media law includes articles detrimental to freedom of religion and expression. Among other prohibited categories, Article 45 prohibits production, reproduction, printing, and publishing of works and materials contrary to the principles of Islam, works and materials offensive to other religions and denominations, publicizing and promoting religions other than Islam.

Many authorities and most of society view proselytizing by adherents of other faiths as contrary to the beliefs of Islam.

The ambiguity surrounding what constitutes offensive and un-Islamic material offers the potential for restrictions on and abuse of press freedom and intimidation of journalists. These rules also apply to non-Muslims and foreign-owned media outlets. An amendment to the media law instructs National Radio and Television Afghanistan (RTA), the state-run media outlet, to provide balanced broadcasting that reflects the culture, language, and religious beliefs of all ethnic groups in the country. The law, however, also obligates RTA to adjust its programs in light of Islamic principles and national and spiritual values.

The annual World Press Freedom Index that was published by Reporters without Borders, ranked Afghanistan 122nd out of 180 countries on the degree of freedom that journalists, news media, and internet citizens are afforded. There are 63 incidents of threats, beatings and kidnappings of journalists has been documented so far by NAI, an Afghan NGO that promotes freedom of expression, including 3 deaths reported. Five attacks are directly linked to government. 12 by police, 8 by other government bodies such as traffic officers and provincial council members governors etc. The rest attacks are committed by Taliban and some are still unknown.

[data.nai.org.af](http://data.nai.org.af)

In spite of the fact that Afghanistan's national unity government has taken measures designed to improve freedom of information, including dissolving the commission for the verification of press offences and adopting the Law on Access to Information, journalists remain the targets of acts of violence and intimidation by government officials and local governors.

In 2016, according to the local organization Nai, "supporting Open Media in Afghanistan", hundreds of journalists have been threatened or intimidated, with many leaving their jobs or relocating.

[nai.org.af/blog/two-recent-months-witness-sever-violations-against-journalists](http://nai.org.af/blog/two-recent-months-witness-sever-violations-against-journalists)

## Highlighted Cases

In 2003, **Sayeed Mahdawi** and **Ali Reza Payam**, both accused of blasphemy were arrested in Kabul for writing a column entitled "Holy Fascism", in which they described Islamic laws as outdated, and questioned the hypocrisy of Muslim leaders and social corruption under the banner of religion. The order of their arrest was issued by President Karzai himself to "protect the constitution and the beliefs of the majority of the people." The two were eventually offered asylum in the West by the assistance of UN High Commissioner for Refugees

[refworld.org/docid/46e690f223.html](http://refworld.org/docid/46e690f223.html)

A similar case took the attention of international media in 2005 when a journalist and the editor of a women's rights magazine, **Ali Mohaqiq Nasab**, was prosecuted for blasphemy charges. He criticized Islam for its brutal punishment for crimes such as adultery and stealing. Nasab was initially sentenced to two years imprisonment. Meanwhile, another warrant was issued to arrest those who publicly defended him and justified his act. A diplomatic dedication that included representatives from European Commission and the US Embassy requested his release claiming that his trial was against Article 34 of the Afghan Constitution.

[wikileaks.org/plusd/cables/05KABUL5076\\_a.html](http://wikileaks.org/plusd/cables/05KABUL5076_a.html)

[cpj.org/2005/12/cpj-calls-on-karzai-to-free-journalist-ali-mohaqiq.php](http://cpj.org/2005/12/cpj-calls-on-karzai-to-free-journalist-ali-mohaqiq.php)

In 2007, **Ghaws Zalmai**—a well known journalist and spiritual figure was arrested and tried for attempting "unofficial [unauthorized] translation of the Qur'an in Dari". He was accused of misinterpreting some verses of Quran in his translations. The Afghan Parliament prohibited him from leaving the country. The clerics who had approved the translation was also arrested a year later and later sentenced to 20 years imprisonment. He was later reported to have been released in secret and in hiding.

[refworld.org/docid/48d5cbf4c.html](http://refworld.org/docid/48d5cbf4c.html)

[independent.co.uk/news/world/asia/free-at-last-student-in-hiding-after-karzais-intervention-1782909.html](http://independent.co.uk/news/world/asia/free-at-last-student-in-hiding-after-karzais-intervention-1782909.html)

## Testimonies

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

— Khalid

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

— Arash Kargar (pseudonym)

# Bangladesh

Const/Govt    Edu/Child    Society/Comm    Expression



Though in theory a secular democracy, the government has frequently given into pressure from Islamist parties, and continues to threaten atheists and others on charges of “hurting religious sentiments”.

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression advocacy of humanist values

	Religious instruction in a significant number of schools is of a coercive fundamentalist or extremist variety	Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence  There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious	
State legislation is partly derived from religious law or by religious authorities	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism  Systemic religious privilege results in significant social discrimination  Religious control over family law or legislation on moral matters  It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization	Expression of core humanist principles on democracy, freedom or human rights is severely restricted  'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
There is an established church or state religion	There is state funding of at least some religious schools  Religious schools have powers to discriminate in admissions or employment	There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism  Some religious courts rule in civil or family matters on a coercive or discriminatory basis	

## Constitution and government

The constitution and other laws and policies provide for freedom of thought, conscience and religion, as well as freedom of opinion and expression. However, some laws and policies restrict freedom of religion or belief, as well as freedom of expression and media freedom.

An amendment to the constitution passed in 2011 established Islam as the state religion yet reaffirmed the country is a “secular state” and guaranteed “freedom of religion”.

The tension between Islamism and secularism in Bangladesh has resulted in the legal persecution of freethinkers and minority belief groups, which occasionally erupts into violence.

In 2015 there has been a string of murders of humanist writers and a secular publishers (see “Atheist blogger murders” and “Highlighted cases”, below). Commenting on the assassination of secular writers, on what happened to be the day before the third such killing in 2015, Sajeeb Wazed, the son of prime minister, told Reuters in May 2015: “We are walking a fine line here... We don't want to be seen as atheists. It doesn't change our core beliefs. We believe in secularism. But given that our opposition party plays that religion card against us relentlessly, we can't come out strongly for him [Avijit Roy]. It's about perception, not about reality.”

[reuters.com/article/2015/05/11/us-usa-bangladesh-assassination-exclusiv-idUSKBN0NW04S20150511](https://www.reuters.com/article/2015/05/11/us-usa-bangladesh-assassination-exclusiv-idUSKBN0NW04S20150511)

# Education and children's rights

Religious studies are part of the curriculum in government schools. Students attend classes in which their assigned religious beliefs are taught. Schools with few students from minority religious groups often make arrangements with local churches or temples to hold religious studies classes outside school hours.

Outside this system, serious concerns remain that in many of the pervasive Islamic madrassa schools, the entire curriculum may be reduced to a narrowly Islamist programme, fostering extremism and bigotry.

Two of the killers of Washiqur Rahman Babu, captured at the scene of his murder, claimed to have been instructed to kill him as part of their "religious duty" by staff at their two distinct madrassas (see below).

## Family, community and society

### Religious involvement in state family law

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

The long out-dated and ambiguous "1872 Special Marriage Act III" allows a person of no religious faith to get married. However, both parties have to renounce their belief in front of the 'Registrar' as non-believers. Marriage is religiously restricted; marriage between Muslims and Hindus (or members of different religions generally) are not permitted. Couples married under this act are not allowed to adopt; succession, maintenance, custody and guardianship of children and inheritance is not clearly defined either, creating an unclear legal situation.

Social barriers, and potential outrage from religious bodies, make "secular" marriages under unsafe. In addition, the number of available 'Registrars' are so few that it's almost impossible for interested parties to get married under this act. [archive.thedailystar.net/law/2012/06/03/advocate.htm](http://archive.thedailystar.net/law/2012/06/03/advocate.htm) <culaw.ac.bd/files/jurnal-2008/Vol.%20XIII,%202008%20(p.117-%20139).pdf>

Islamic Sharia law plays some role in civil matters pertaining to the Muslim community. There is no formal implementation of Sharia, and it is theoretically not imposed on non-Muslims, however this is very high likelihood that some non-religious individuals would be presumed religious and socially pressured to conform to religious arbitration in family matters.

Family laws concerning marriage, divorce, and adoption differ significantly depending on the religious beliefs of the persons involved. Muslim and Hindu family laws are codified in the legal system. For example, a Muslim man may marry as many as four wives, although he must get his first wife's signed permission before marrying an additional woman. A Christian man may marry only one woman. Under Hindu law in the country there are limited provisions for divorce, such as impotency, torture, or madness. Hindu widows can legally remarry, and marriage registration for Hindus is optional.

The family law of the religion of the two parties concerned governs their marriage rituals and proceedings; however, marriages also are registered with the state.

There are no legal restrictions on marriage between members of different religious groups.

Under the Muslim family ordinance, women and girls inherit less than males, and wives have fewer divorce rights than husbands. Laws provide some protection for women against arbitrary divorce and polygamy without the consent of the first wife, but the protections generally apply only to registered marriages. In rural areas, couples occasionally do not register their marriages. Under the law, a Muslim husband is required to pay his former wife alimony for three months, but the authorities do not always enforce this requirement.

### Religious tension

Communal violence and political dysfunction remain significant problems in Bangladesh.

Violence against Ahmadi Muslims and Buddhists has increased in recent years. The Buddhists mostly belong to indigenous hill tribes in south-eastern Bangladesh (Chittagong Hill Tracts). In September 2012, following the posting of

a photograph of a burnt Quran on Facebook, more than 20 Buddhist temples, along with homes and shops, were attacked and set on fire by Muslim protesters.

The mass migration of Hindus that started in 1947 from Bengal to India, is gradually depriving Bangladesh of religious minorities, and those who remain are frequently subjected to vandalism and murder.

In 2014, allegations of “hurting religious sentiment” have risen. On 8 November 2014, in Lalpur village in Ashuganga district, a number of temples were destroyed by a Muslim mob following an allegation that a Hindu person had defamed Muhammad on Facebook. Abuse of the de facto “blasphemy” law to attack minority population is frequent, often in connection with content reportedly posted on social media.

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

## Freedom of expression, advocacy of humanist values

### Atheist blogger murders

In 2013, several atheist and freethought bloggers were the victims of physical assaults, as well as government prosecutions for crimes of “blasphemy” in all but name, with one critic of Islam murdered by machete.

In 2015, four more humanist writers were murdered in similar attacks by groups of young men using machetes, followed by twin coordinated attacks on secular publishing houses on 31 October 2015, in which one publisher was killed and others were shot and critically injured. (See “Highlighted cases” below.)

Responsibility for the attacks has been claimed by a variety of Jihadist militant groups, accusing the bloggers of “insulting Islam” or “defaming the Prophet”.

Though several groups of arrests have been made in 2015, including the arrest of two madrasa students caught at the scene of the murder of Washiqur Rahman, no suspect in this year’s killings has yet come to trial and been found guilty.

Rafida Ahmed, the widow of Avijit Roy – herself seriously injured in the attack which took his life, receiving blows to the head and losing a finger – said in the months after he was killed, “...no one from the Bangladesh government has reached out to me. It’s as if I don’t exist, and they are afraid of the extremists. Is Bangladesh going to be the next Pakistan or Afghanistan?”

[reuters.com/article/2015/05/11/us-usa-bangladesh-assassination-exclusiv-idUSKBN0NW04S20150511](http://reuters.com/article/2015/05/11/us-usa-bangladesh-assassination-exclusiv-idUSKBN0NW04S20150511)

And in a lecture to the British Humanist Association in July 2015, she said:

“The ruling political party in Bangladesh is the Awami League. They are supposed to be the largest secular political party in the country. Yet in the name of political expediency, they have repeatedly bent their knee to religious fundamentalists, acceding to their demands and granting their wishes, in a manner that can only be described as bribery, in order to secure their votes...

...Sheikh Hasina could have slapped down the Islamists. She could have said that no, people have a right to demonstrate, to write, to question, to criticize. But instead, this is what she said: We do not need a new blasphemy law, because we already have a law against ‘hurting religious sentiments’ and we can prosecute the bloggers under that law! So the authorities received the list of suspect bloggers, officials promised to investigate, and then they arrested four of those bloggers from the list and pursued them through the courts. Avijit campaigned tirelessly to free these bloggers.

So, what happens when you give bullies what they want? What happens when you accede to crazy demands? Soon there were one-hundred thousand Islamists marching on the streets of Dhaka demanding not just ‘death to atheist bloggers’, but for the cancellation of planned new education reforms that would have helped girls into education, and yet the government again made concessions. Since 2013 Islamists have been granted demand after demand, while the attackers of those first victims – Ahmed [Rajib Haider] and Asif [Mohiuddin] – were never found.”

[humanism.org.uk/fighting-machetes-with-pens-a-full-transcript-of-the-2015-voltaire-lecture/](http://humanism.org.uk/fighting-machetes-with-pens-a-full-transcript-of-the-2015-voltaire-lecture/)

In November 2015 the European Parliament condemned the government response to the killings. MEPs urged the Bangladesh authorities to act to end the impunity, to prevent any further killings, and to ensure the security of all its citizens, regardless their beliefs.

[humanistfederation.eu/news-fhe.php?pages=eu-resolution-on-bangladesh](http://humanistfederation.eu/news-fhe.php?pages=eu-resolution-on-bangladesh)

## Freethought under threat

In addition to the killings themselves, and lack of security provided to any bloggers under threat, police and government officials have threatened to arrest the bloggers for writing about “atheism”. Freethinkers remain under clear threat and many bloggers have fled the country seeking asylum abroad. A toxic precedent has been set and freedom of thought and expression are under preeminent threat.

<[dw.com/en/atheist-bloggers-flee-bangladesh/a-18708933](http://dw.com/en/atheist-bloggers-flee-bangladesh/a-18708933)>  
<[arif.eu/archives/424](http://arif.eu/archives/424)>

Earlier this year during the International Book Fair at Dhaka University, Islamists seized all printed copies of a book translation by Iranian writer Ali Dasti. Authorities took no action to defend the freedoms of the event, even in the face of death threats.

<<https://globalvoices.org/2015/02/17/bangladeshi-publisher-faces-death-threats-over-translation-of-controversial-iranian-writers-book/>>

Several “hit lists” were circulated, including by mainstream Bangla media, further entrenching the atmosphere of fear. The government has been criticised repeatedly for apparent inability to response to the threats.

<<http://uk.businessinsider.com/a-radical-islamist-group-has-put-out-a-hit-list-targeting-84-anti-extremism-writers-2015-9>>

## De facto “blasphemy” laws

Section 295A of the penal code states that any person who has “deliberate” or malicious” intent to “hurt religious sentiments” can be imprisoned and this has been used in practice to prosecute and imprison atheist and secularist activists.

Similarly, the Code of Criminal Procedure includes several clauses (99a-f) that states “the government may confiscate all copies of a newspaper if it publishes anything subversive of the state or provoking an uprising or anything that creates enmity and hatred among the citizens or denigrates religious beliefs.”

In early 2013, after tensions of the predominantly secular Shahbag protests and the trial of Jamaat-e-Islami leaders for war crimes, an estimated 100,000 Islamists took to the streets of Dhaka calling for “death to the atheist bloggers”. Jamaat called for a new “blasphemy law” with a death penalty. The prime minister Sheikh Hasina said that no such law was necessary, but only because existing laws against “insult to religion” were “enough” to prosecute the bloggers.

The Islamist protesters demanded the arrests of 84 named bloggers, and four bloggers were arrested and charged (see “Highlighted cases”).

In August 2013, following the unrest by Hefazat Islami against “atheist bloggers”, the Bangladesh government amended the Information and Communication (ICT) Act, criminalizing defamation of religion, creating further the de facto “blasphemy” laws. Any statement published or transmitted by any person if found to cause to hurt or may hurt religious belief, then that person will be regarded as committed an offence. The troubling amendment was created by presidential decree, bypassing any discussion in parliament. The amendment gives police unchecked power against the offender allowing police to act as jury and judge, all at the same time.

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

<[fidh.org/International-Federation-for-Human-Rights/asia/bangladesh/bangladesh-information-and-communication-technology-amendment-act-likely-13875](http://fidh.org/International-Federation-for-Human-Rights/asia/bangladesh/bangladesh-information-and-communication-technology-amendment-act-likely-13875)>

<[icj.wpengine.netdna-cdn.com/wp-content/uploads/2013/11/ICT-Brief-Final-Draft-20-November-2013.pdf](http://icj.wpengine.netdna-cdn.com/wp-content/uploads/2013/11/ICT-Brief-Final-Draft-20-November-2013.pdf)>

## Media and online freedoms

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

In August 2015, Probir Sikdar, a veteran journalist, was arrested for “tarnishing the image” of a government minister, reportedly after he publicly said that he had been threatened.

<[cpj.org/2015/08/journalist-arrested-in-bangladesh-under-countrys-i.php](http://cpj.org/2015/08/journalist-arrested-in-bangladesh-under-countrys-i.php)>

In December 2014 the Bangladesh Telecom regulatory authority proposed that Google and Facebook should implement a locally run “Admin Panel” to control the social media inside Bangladesh. This proposal followed a refusal by both internet companies to release information about certain user accounts.

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

However, in late 2015, Facebook proved amenable to meeting with government officials after the government blocked Facebook, Vibre and a few other social networking services, supposedly in order “to stop posts on the social network that incite religious sentiment and political instability.”

[en.prothom-alo.com/bangladesh/news/88253/Successful%E2%80%99govt-now-considering-broader-security](http://en.prothom-alo.com/bangladesh/news/88253/Successful%E2%80%99govt-now-considering-broader-security)>

## Highlighted cases

Attacks on humanist or freethinking authors, bloggers and secular publishers in 2015 has gained worldwide media attention. **Avijit Roy**, an author of books on humanism and science, was killed in February 2015 outside the International Book Fair at Dhaka University, his wife Rafida Ahmed also seriously in the same attack; **Washiqur Rahman Babu**, a young blogger known as a “progressive freethinker”, was killed in March 2015; **Ananta Bijoy Das**, who blogged against fundamentalism, in favour of science, justice, and free expression, was struck down in May 2015; **Niladri Chatterjee** (penname: Niloy Neel), a humanist known as much for his blogging on minority and women’s rights as much as for his atheistic views, was killed in his own home in front of his partner in August 2015; and on 31 October 2015, coordinated gun and machete attacks on two publishing houses in Dhaka – both publishers of books by Avijit Roy and other secular authors – took the life of **Faysal Arefin Dipon** (Jagriti publishers), and seriously injured **Ahmed Rashid Tutul** (Shuddho-Shor publishers), author and blogger **Randipam Basu** and poet **Tareq Rahim**.

Secularist blogger **Mohon Kumar Mondal**, an environmental activist and human rights advocate, was jailed on 26 September 2015 for expressing grief and criticism regarding the death of Hajj pilgrims in the 2015 stampede at Mecca. Mondal had criticised the Saudi authorities for failing to avert the tragedy and for not respecting the bodies of the dead. He also questioned the rationality of the ritual in which stones are cast at the devil, and was accused of “insulting Islam”.  
<[ibtimes.co.uk/mohon-kumar-mondal-bangladesh-arrests-secularist-blogger-after-he-criticises-islam-1525243](http://ibtimes.co.uk/mohon-kumar-mondal-bangladesh-arrests-secularist-blogger-after-he-criticises-islam-1525243)>

Atheist blogger **Julhas Uddin** was jailed for alleged “contempt of religion” on 1st August 2015.  
<[kalerkantho.com/print-edition/news/2015/08/01/251027](http://kalerkantho.com/print-edition/news/2015/08/01/251027)>

A schoolboy named as ‘**Dipu Biswas**’ was arrested for making “offensive remarks about Islam” on Facebook, in September 2015. His family were forced to hide as “tension” rose in the area.  
<[thedailystar.net/backpage/schoolboy-arrested-magura-149506](http://thedailystar.net/backpage/schoolboy-arrested-magura-149506)>

Former minister **Latif Siddiqui** was jailed in November 2014 after surrendering to police on a case filed by an opposition political party for “hurting religious sentiments”. He is facing 22 different cases on 18 different counts, all for the same offence of allegedly making anti-Hajj remarks at a discussion in New York in September. He has been expelled from the ruling party and a writ has been filed to vacate his seat.

**Ong Sing Marma**, a student, and member of an indigenous population in Boroichhari, Kaptai upazila, was arrested on 9 October 2014 under section 57 for posts on Facebook deemed to be “hurting religious sentiment”, after supposedly posting images on Facebook that were “demeaning Islam and the Holy Quran”. A case was filed against him under ICT act. Local people staged a demonstration demanding the arrest of the youth, blocking Kaptai-Chittagong highway.  
<[dhakatribune.com/bangladesh/2014/oct/09/1-held-rangamati-hurting-religious-sentiment](http://dhakatribune.com/bangladesh/2014/oct/09/1-held-rangamati-hurting-religious-sentiment)>

On 31 March 2014, teenaged bloggers **Kazi Mahbubur Rahman Raihan** and **Ullash Das** were sent to jail for Facebook comments supposedly “insulting” to Islam and Prophet. This was only after they had been attacked and beaten by a mob. Fellow bloggers allege that an Islamist student organization distributed false propaganda material which rallied the mob against the two bloggers and led to their arrest.  
<[advocacy.globalvoicesonline.org/2014/04/01/teenage-bloggers-in-bangladesh-arrested-for-blasphemous-facebook-posts/](http://advocacy.globalvoicesonline.org/2014/04/01/teenage-bloggers-in-bangladesh-arrested-for-blasphemous-facebook-posts/)>

In February, 2013, the atheist blogger **Ahmed Rajib Haider** (pen name: Thaba Baba), was murdered in a machete attack at his home. His head was hacked open with a machete the day after he took part in the Shahbag movement, a major rally against leaders of the country’s largest Islamic party. He was associated with secularist views in line with Shahbag.  
<[google.com/hostednews/afp/article/ALeqM5gvgXRcLgESi9K6wFCyhmT32zJswg](http://google.com/hostednews/afp/article/ALeqM5gvgXRcLgESi9K6wFCyhmT32zJswg)>  
<[hindustantimes.com/world-news/Bangladesh/Militant-atheist-blogger-stabbed-in-Bangladesh/Article1-989966.aspx](http://hindustantimes.com/world-news/Bangladesh/Militant-atheist-blogger-stabbed-in-Bangladesh/Article1-989966.aspx)>

The month prior to the murder of Ahmed Rajib Haider, Islamist militants had attempted to murder another atheist blogger, **Asif Mohiuddin**. Mohiuddin survived that attack, thanks to emergency surgery, only to be arrested on April 3, 2013, and charged with “offending Islam and its Prophet”.

At the same time, three other secularist bloggers—**Subrata Adhikari Shuvo**, **Mashiur Rahman Biplob**, and **Rasel Parvez**—were arrested on similar charges. The arrests all came after Islamists gave the government a list of 84 bloggers they wanted charged and if possible sentenced to death (though the punishment does not exist). The blogs of all four secularists were shut down by the government. All four bloggers spent significant stretches in jail and on trial throughout 2013 and 2014.  
<[iheu.org/story/arrests-atheist-bloggers-shows-bangladesh-authorities-are-walking-trap-set-fundamentalists](http://iheu.org/story/arrests-atheist-bloggers-shows-bangladesh-authorities-are-walking-trap-set-fundamentalists)>

On January 4, 2012, the principal of a technical college, **Yunus Ali**, was arrested for keeping a copy of Taslima Nasrin's book *Shame* in the school library. The book tells the story of a Hindu family persecuted in Bangladesh. It was deemed blasphemous and banned by the Bangladeshi government in 1993.

**Nikhil Naushad** were sent to jail for poetry published in the magazine *Kheya*. Naushad served 127 days, the editor received 2 years jail under section 57 of ICT Act.

The feminist author and atheist activist **Taslima Nasrin** remains in exile from Bangladesh because of the threat of death or government persecution should she return to her homeland. Taslima's application for a passport has never been answered. Bangladesh Embassies across the globe have taken a non-cooperation stance in relation to Nasrin. Her recent request to attain a Power of Attorney document by embassy officials were denied.

## Testimonies

*"[The new law banning "defamation of religion"] has now has become almost a fear instigating tool inside Bangladesh against any Atheist or non-believer. This is the tool Pakistan used to rapidly turn into a fundamentalist, broken nation. That we see today, Bangladesh is not far."*

— Anonymous

# Bulgaria

Const/Govt    Edu/Child    Society/Comm    Expression



The Republic of Bulgaria is a democratic sovereign state in southeastern Europe with a population of 7.5 million and bordered by Romania, Serbia, Macedonia, Greece, Turkey and the Black Sea. The constitution guarantees “the life, dignity and rights of the individual and shall create conditions conducive to the free development of the individual and of civil society”.

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression  
advocacy of humanist values

State-funding of religious institutions or salaries, or discriminatory tax exemptions		Discriminatory prominence is given to religious bodies, traditions or leaders	
There is a nominal state church with few privileges or progress is being made toward disestablishment Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious Concerns that secular or religious authorities interfere in specifically religious freedoms
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Legend

## Constitution and government

Bulgaria adopted a democratic constitution in 1991 following nearly 50 years of communist rule. Article 13 of the constitution guarantees religious freedom. It declares the state to be secular — “Religious institutions shall be separate from the State” — and that “religious institutions and communities, and religious beliefs shall not be used to political ends”. Within the same article however, Eastern Orthodox Christianity is somewhat ambiguously officiated as the country’s “traditional religion”.

[parliament.bg/en/const](http://parliament.bg/en/const)

## The state and the church

The Religious Denominations Act 2002 is clear in pointing out that the Bulgarian Orthodox Church’s (BOC) special traditional status cannot be used “as grounds to grant privileges or any advantages”. However the constitutional text suggests that there is some form of relationship between the BOC and the state. Article 10 of the Religious Denominations Act states that the BOC “has current meaning in [Bulgaria’s] political life”, while Dr. Peter Petkoff of Brunel University wrote in a journal article that “although the law does not suggest what kind of relationship this is, one could imagine that there is a hint that official holidays and state ceremonies with a religious element will have an Eastern Orthodox framework and will be performed by clergy from the BOC”.

[legirel.cnrs.fr/spip.php?article540&lang=fr](http://legirel.cnrs.fr/spip.php?article540&lang=fr)

[biblicalstudies.org.uk/pdf/rss/33-4\\_315.pdf](http://biblicalstudies.org.uk/pdf/rss/33-4_315.pdf)

The relationship between the state and the BOC is especially problematic when church representatives engage in acts of discrimination. In 2012, in reference to the planning of an LGBT Pride Parade planned to take place in the nation’s capital, Father Evgeni Yanakiev of the BOC was quoted in a national newspaper as saying “Our whole society must, in every possible way, oppose the gay parade that is being planned. For this reason, I appeal to all those who consider themselves Christian and Bulgarians. Throwing stones at gays is an appropriate way”.

On the day of the parade, according to Human Rights Watch three members of parliament were among those “throwing Molotov cocktails and stones”. Previous LGBT parades have been marred and disrupted by violence and threats to violence.

[www.hrw.org/news/2012/06/28/bulgaria-chilling-calls-stoning-lgbt-citizens-bulgaria](http://www.hrw.org/news/2012/06/28/bulgaria-chilling-calls-stoning-lgbt-citizens-bulgaria)

## The state and other religions

The state requires religious groups to be registered as legal persons; this affords them the power to decide upon the legitimacy of certain faiths and appears to offer the possibility of state discrimination against religious groups. Dr. John Anderson of Oxford University notes the difficulty in reconciling the constitutional guarantee of religious freedom with the requirement that religions be essentially vetted by the state, a state which maintains a special relationship with one particular Christian denomination. In response to this, the dominant traditional religious institution tends to claim that rather than seeking societal privileges or advantages, they simply desire "recognition of a historical, cultural and religious reality". Despite these claims, evidence of privilege can be found in the relative allocations of public funds for religious groups. In 2011 the International Coalition for Religious Freedom reported that "of the \$1.8million allocated to registered religious groups, \$1.4 million is allocated to the Bulgarian Orthodox Church".

[religiousfreedom.com/index.php?option=com\\_content&view=article&id=198&Itemid=29](http://religiousfreedom.com/index.php?option=com_content&view=article&id=198&Itemid=29)  
[ecpr.eu/Filestore/PaperProposal/84fd47d2-1b97-4644-8555-79f8a337e9ef.pdf](http://ecpr.eu/Filestore/PaperProposal/84fd47d2-1b97-4644-8555-79f8a337e9ef.pdf)

According to the 2013 Human Rights in Bulgaria report by the Bulgarian Helsinki Committee, there numerous documented examples of discrimination against unaffiliated religions, with a particular focus on the activities of Jehova's Witnesses and the Church of Jesus Christ of Latter Day Saints (Mormons). In 2013, a group of Jehova's Witnesses were prevented from handing out religious brochures as it was seen to be a "threat to national security, health and morale"; the judgement of which was upheld by the Municipal Court.

## A populist president

Bulgaria's president-elect, Rumen Radev, a former Air Force commander with no political experience, is pro-Russian and anti-immigration. He won the apparent support of the Orthodox Church, which itself said that the government should "in no way allow more refugees into our country" on the basis that it wanted to preserve Bulgaria as a God-given country for Orthodox Christians. Though standing as an independent, Radev also won the support of the Bulgarian Socialist Party, the demographic base of which leans strongly towards the institutions of the army and the Orthodox Church.

[novinite.com/articles/170996/Bulgaria+Should+Not+Let+More+Migrants+In,+Orthodox+Church+Says](http://novinite.com/articles/170996/Bulgaria+Should+Not+Let+More+Migrants+In,+Orthodox+Church+Says)

## Education and children's rights

In 2011, former Bulgarian Prime Minister Boyko Borisov spoke during a mass at the St. Prokopi Varnenski temple and declared support for making Religious Education compulsory in schools. He donated BGN 15,000 (approximately £6000) during the visit, and showed clear bias towards the BOC.

[novinite.com/articles/129622/Bulgarian+PM%3A+Religious+Classes+Should+Be+Compulsory](http://novinite.com/articles/129622/Bulgarian+PM%3A+Religious+Classes+Should+Be+Compulsory)

To date public schools offer religious education on an optional basis, with all officially registered religious groups given the option to request that their beliefs be included in the curriculum. Atheist, humanist or other philosophical alternatives are not included.

## Freedom of expression, advocacy of humanist values

In recent times there have been widely documented instances of serious failures concerning the freedoms of expression and the press. According to the World Press Freedom Index 2014, Bulgaria retained its status as the lowest ranked country in the European Union for the consecutive third year. The ranking has likely stemmed from high levels of political unrest that saw undue political pressure on media outlets, harassment and targeting of individual journalists, and reporters being subject to police violence during protests and demonstrations.

[www.hrw.org/news/2013/07/25/bulgaria-investigate-police-violence-protest](http://www.hrw.org/news/2013/07/25/bulgaria-investigate-police-violence-protest)

*"The [Bulgarian] government has an obligation under human rights law to ensure that media and journalists can operate freely and without interference by the state. Such assaults on journalists put freedom of expression and media freedom at serious risk and require independent investigation and, where appropriate, disciplinary measures against those responsible."*

— Human Rights Watch, July 2013

In response to the widespread publication of leaked files about his business activities in the 1990's, former Prime Minister Borisov is reported to have threatened:

*"What they have done, I can cook it for all of you standing here today. I can order the secret services to launch similar cases for all of you journalists, all of you without exception."*

— Boyko Borisov via Reporters Without Borders, February 2013

[en.rsfo.org/bulgaria-prime-minister-s-dangerous-cold-07-02-2013,44043.html](http://en.rsfo.org/bulgaria-prime-minister-s-dangerous-cold-07-02-2013,44043.html)

According to the 2006 Library of Congress Country Study for Bulgaria, bureaucracy, weak administrative agencies and court backlogs in the registration process were cited as leading to "constitutional protection of defendants' rights problematic in some instances".

[lcweb2.loc.gov/frd/cs/profiles/Bulgaria.pdf](http://lcweb2.loc.gov/frd/cs/profiles/Bulgaria.pdf)

# Egypt

Const/Govt    Edu/Child    Society/Comm    Expression



During the Arab Spring protests in 2011, long-time President Hosni Mubarak resigned and was later replaced in an election by the Muslim Brotherhood-supported Mohammed Morsi. Morsi was himself overthrown in 2013 leaving the country to be ruled by the military under President Abdel Fattah el-Sisi. Egypt is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression advocacy of humanist values

		<p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</p>	<p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>There is systematic religious privilege</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>	<p>There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism</p> <p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

## Constitution and government

The current 2014 constitution is an amended version of the 2012 constitution signed in to law by the Morsi administration. The new constitution was signed into law after a referendum in January 2014. It has been criticised by human rights groups for putting too much power in the hands of the military. The Muslim Brotherhood and various socialist groups boycotted the vote.

The Egyptian constitution is based on positive (mainly secular) law as well as Islamic *hanafi* law. It places Islam at its core whilst only recognising other "Abrahamic" religions (Islam, Judaism and Christianity) as legitimate forms of worship. Other religion or belief minorities, even those with a demonstrable presence such as Baha'is and the non-religious, are not recognised.

The constitution begins, "In the Name of Allah, Most Gracious, Most Merciful", and part 1 of the document lays out the role of religion. Article 2 describes Islam as "the religion of the State. [...] The principles of Islamic Sharia are the main source of legislation." Courts must refer to the principles of Islamic law, if the positive law is missing legal dispositions. While the Islamic law does not touch the penal code, it is mainly in family law that such legal dispositions are absent.

Christians and Jews can refer to their own laws instead of the Islamic law. The constitution states that the religious al-Azhar university is the “main reference in theology and Islamic Affairs”.

## Discrimination in practice

“Atheists are one of Egypt’s least-protected minorities” according to one human rights group, and a campaign to turn “youth” away from atheism, with several prominent atheists arrested and convicted, is ongoing (see “Anti-atheist campaign”, below).

According to the law, every citizen is theoretically equal and discrimination based on religion is criminalized in the penal code. In practice, however, there is significant discrimination, with disproportionate use of the law against religious minorities, and atheists have been repeatedly maligned by media and by government officials.

The constitution distinguishes between freedom of belief and freedom to practice religion. It states that the freedom of belief is absolute (Article 64), however, in the same time it limits the freedom to practice religion. Since 1913, the Egyptian penal code has not included an article on apostasy or conversion. However, a conversion from Islam has legal consequences in family law, regarding marriage, child custody and inheritance (see below).

## Restrictions and tensions around belief identities

Egyptian State ID cards include a section on religion and only members of the three “divine religions” can be recognized. Many elderly members of Baha’i or other minority communities further lack birth and marriage certificates. In 2009 the situation was slightly but not sufficiently improved, when two Baha’is were given permission to have a dash (“-”) in the religion section. Muslim-born individuals who leave Islam are not allowed to change the religion field on their identity card. Since the Arab spring, the ID card issue has become a major campaigns issue for the Coptic Christian minority as sectarian tensions have increased.

The state tries to prevent sectarianism and religiously founded violence by monitoring imams and publishing weekly instructions for their sermon contents. Sectarian tension exists throughout the country. In Upper Egypt, however, Christians especially are targeted for kidnapping and extortion.

The ministries may ban or confiscate books and works of art, if they consider them as offensive to public morals or detrimental to religion. President al-Sissi issued a decree in January 2015 that allows the ministries to ban any foreign publications that are deemed offensive to religion. The government further appoints imams and pays their salaries.

## Education and children’s rights

Muslim and Christian students are required to take Islamic and Christian courses respectively, in public schools, in all grades. Non-religious and religious minority students must choose one or the other course; they may not opt out or change from one to the other.

The Ministry of interior prohibits the wearing of hijab in primary schools. Upon a written request of a girl’s parents the hijab can be allowed in secondary schools.

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

## Family, community and society

In family law, the government recognizes Islam, Christianity, and Judaism as a basis for religious rulings. Cases involving individuals who are not Muslim, Christian or Jewish are adjudicated based on civil law, though in practice it is highly likely to be socially impossible for some individuals to opt out due to pressure to conform to religion.

## Marriage

In marital affairs Jews and Christians can apply their own laws, if both spouses belong to the same denomination (ta’ifa). In mixed marriages and in matters of inheritance and adoption the court always refers to Islamic law.

A marriage between an “apostate” and a Muslim will be declared void. The involvement of religion in family law greatly restricts interreligious marriages, disadvantages women, and privileges Muslims over other religious and non-religious individuals. For example, non-Muslim men must convert to Islam to marry Muslim women, although non-Muslim (Jewish or Christian) women need not convert to marry Muslim men. A non-Muslim woman who converts to Islam, however,

must divorce her husband if he is not Muslim and is unwilling to convert, and custody of children is then awarded to the mother.

Sharia prevents Coptic men and Muslim women from marrying each other and does not recognize a marriage outside the country between such individuals. Coptic Orthodox laws prohibit all mixed marriages; in situations where these laws conflict with sharia, sharia takes precedence.

Societal pressure relating to religious interpretations of law can represent a threat. For example, in November 2015 a Muslim woman in al-Fayoum was reportedly beheaded by her relatives for marrying a Christian man.  
<[tahrirnews.com/posts/339531/](http://tahrirnews.com/posts/339531/)>

## “Apostasy” surge

During the 1990s and the 2000s there was a surge in apostasy accusations between siblings and others, trying to obtain a judicial decree that a family member had “renounced” Islam in order to disinherit the “apostate” and accrue their share of an inheritance.

“Apostasy” accusations were also used as a weapon against intellectuals and politicians; there was no direct punishment, however it was a way to ridicule or marginalize them, and the consequences for their personal life regarding marriage for instance were far-reaching.

In recent years court trials do not focus on “apostasy” itself, but use the rationale of “public order” to persecute the non-religious, atheists and political critics (see “Blasphemy laws” below).

## Women

Besides marriage, the religious family laws discriminate against women also in relation to divorce, child custody and inheritance. No law criminalizes domestic violence and sexual harassment of women is a major problem on the streets. Other forms of violence against women, as for instance female genital mutilation (FGM) and child “marriage” are prohibited by law, but continue in some areas.

The law provides for women filing for divorce the Islamic principle of “*khul*”, which allows a Muslim woman to obtain a divorce without her husband’s consent, but only provided that she is willing to forego all of her financial rights, including alimony, dowry, and other benefits. The minor children of Muslim converts to Christianity, and in some cases adult children who were minors when their parents converted, automatically remain classified as Muslims because the government does not recognize conversion from Islam, irrespective of the religion of the other parent.

## Freedom of expression, advocacy of humanist values

### “Blasphemy” law

The Egyptian Criminal Code explicitly outlaws blasphemy. Nestled among prohibitions on advocating “extremist thoughts”, “instigating sedition” or “prejudicing national security”, Article 98 (f) outlaws “disdaining and contempting any of the heavenly religions or the sects belonging thereto”. Demeaning any of the Abrahamic religions or harming “national unity” carry jail terms from six months to five years and/or fines of up to LE1,000. In addition, the desecration of religious symbols is punishable by up to five years in prison and/or fines of up to LE500 (Article 160).

The propagation of atheism in words, writing, or other means, is punishable by sentences of up to five years imprisonment. The law has been used to limit the freedom of speech of religious and non-religious groups and individuals alike.

Blasphemy cases have been increasing since 2011. According to the Egyptian Initiative for Personal Rights (EIPR), from 2011 to 2013, courts convicted 27 of 42 defendants on charges of contempt for religion.  
<[umn.edu/humanrts/research/Egypt/criminal-code.pdf](http://umn.edu/humanrts/research/Egypt/criminal-code.pdf)>

## Anti-atheist campaign

What the New York Times described this year as “Egypt’s War on Atheism” has continued into 2015. The “blasphemy” arrests, guilty verdicts, and campaign of intimidation against atheists has been described by Human Rights Watch (HRW) as part of the ongoing “coordinated government crackdown on perceived atheists”. HRW also notes that “Atheists are one of Egypt’s least-protected minorities”.

[nytimes.com/2015/01/28/opinion/mona-eltahawy-egypts-war-on-atheism.html](http://nytimes.com/2015/01/28/opinion/mona-eltahawy-egypts-war-on-atheism.html)>  
<[hrw.org/news/2015/01/13/egypt-3-year-sentence-atheist](http://hrw.org/news/2015/01/13/egypt-3-year-sentence-atheist)>

Beginning in June 2014, the Ministry of Youth, Ministry of Endowments began a media and re-education campaign to “eradicate” atheism. The initiative was linked to a wider campaign that also targeted “religious extremists”, most of whom were associated with the recently outlawed Muslim Brotherhood, and there were overt attempt to explicitly associate atheism *per se* with threats to national security and extremism. The programme was aimed at “confronting and abolishing [atheism] through religious, educational and psychological means handled by experts in these fields.”  
<[al-bab.com/blog/2014/may-june/egypt-to-eliminate-atheism.htm#sthash.E4Wp4e1S.dpbs](http://al-bab.com/blog/2014/may-june/egypt-to-eliminate-atheism.htm#sthash.E4Wp4e1S.dpbs)>  
<[english.ahram.org.eg/NewsContent/1/151/120204/Egypt/Features/Egypt-s-war-on-atheism.aspx](http://english.ahram.org.eg/NewsContent/1/151/120204/Egypt/Features/Egypt-s-war-on-atheism.aspx)>

The backlash against the apparent growth of atheism, increasingly associated with young people and expressed on social media, has come primarily from government leaders and Islamic clerics and scholars. However in November 2014 it was reported that Christian churches held a joint conference and were “joining forces” with Egypt’s Al-Azhar to fight the spread of atheism. The new Egyptian Council of Churches organized, in late October 2014, a workshop for young people discussing the “dangers” of atheism.  
<[madamasr.com/news/govt-announces-campaign-save-youth-atheism](http://madamasr.com/news/govt-announces-campaign-save-youth-atheism)>  
<[worldbulletin.net/africa/148163/egypts-muslim-christian-authorities-unite-against-atheism](http://worldbulletin.net/africa/148163/egypts-muslim-christian-authorities-unite-against-atheism)>

IHEU is deeply concerned that these organised, authoritarian programmes against the organic growth of non-religious thinking. while pretending to be a “scholarly” response to a social trend or a lawful process in favour of public order or national cultural identity, the authorities are in fact maligning atheists as dangerous and a threat to the state and society, in such a way that demonizes individual atheists and presents a clear threat to atheists’ freedom of thought and expression.

## Highlighted cases

In February 2015 an Egyptian court sentenced a student of Suez Canal University, **Sherif Gaber Abdelazim Bakr**, to one year prison with hard labour for posting content on Facebook which “professed atheism” and “insulted” Islam, as well as “defending homosexuality”. He was initially arrested in 2013 in a dramatic raid, with armoured cars surrounding his house in the middle of the night. The arrest followed his science teacher, in April of that year, asserted that homosexuals should “be crucified in the middle of the streets” and Gaber challenged him, suggesting that he should stick to a scientific understanding. Following this incident, a lecturer from the university printed and distributed posts from Gaber’s Facebook page that questioned religion. In front of a class, the lecturer declared that he would submit them as evidence to the university’s president and the prosecutor general. Following an earlier guilty verdict in late 2013, for “contempt of religion” and “spreading immoral values and abnormal thoughts” Gaber paid fines in order to escape jail. But the case was ongoing, and after the 2015 verdict he fled into hiding. He resurfaced in summer 2015 making pro-science videos, though they have since disappeared from his Youtube channel.  
<[afteegypt.org/law\\_unit/2015/01/10/9084-afteegypt.html](http://afteegypt.org/law_unit/2015/01/10/9084-afteegypt.html)>  
<[huffingtonpost.com/2015/02/19/sherif-gaber-sentenced\\_n\\_6714770.html](http://huffingtonpost.com/2015/02/19/sherif-gaber-sentenced_n_6714770.html)>  
<[al-bab.com/blog/2015/february/atheist-sentenced-in-egypt.htm#sthash.mIHII9N.dpuf](http://al-bab.com/blog/2015/february/atheist-sentenced-in-egypt.htm#sthash.mIHII9N.dpuf)>  
<[patheos.com/blogs/friendlyatheist/2015/07/15/egyptian-atheist-sentenced-to-prison-but-hiding-from-police-is-now-releasing-pro-science-youtube-videos/](http://patheos.com/blogs/friendlyatheist/2015/07/15/egyptian-atheist-sentenced-to-prison-but-hiding-from-police-is-now-releasing-pro-science-youtube-videos/)>

In January 2015, atheist activist **Karim al-Banna** was sentenced to three years jail for “insulting the divine” after declaring his atheism online. The prosecution, led by a infamous Islamist lawyer, had tried to demand that Al-Banna be sent to prison without trial, and the defence complained that they were not given time to make a case; a campaigner described the trial as “highly politicised...the prosecution has tried to prove him guilty by whatever means possible.” Though the January sentence was initially suspended, the prosecution appealed and the suspension was overturned in March 2015. With the three-year sentence now due to be enforced, Al-Banna, who did not attend the retrial, went into hiding. Karim al-Banna had been arrested in November 2014 in a cafe in Cairo for announcing his atheism on Facebook and therefore “insulting Islam”. Karim al-Banna’s own father testified against him and stated that he had found his son to be owning provocative books, and that his son “was embracing extremist ideas against Islam” (the ‘extremism’ here refers only to his atheist position, there has never been any suggestion of actual militancy or similar). Banna’s name had earlier been included in a list of “known atheists” in a local daily newspaper, after which he was harassed by neighbours. Banna himself went to file a complaint against the neighbours, but police accused him of insulting Islam.  
<[dailynewsegypt.com/2015/03/14/student-in-hiding-after-prison-sentence-for-atheism-confirmed/](http://dailynewsegypt.com/2015/03/14/student-in-hiding-after-prison-sentence-for-atheism-confirmed/)>  
<[theguardian.com/media/greenslade/2015/jan/13/egyptian-student-jailed-for-proclaiming-that-he-is-an-atheist](http://theguardian.com/media/greenslade/2015/jan/13/egyptian-student-jailed-for-proclaiming-that-he-is-an-atheist)>  
<[uk.news.yahoo.com/egypt-student-gets-3-jail-term-atheism-152045719.html](http://uk.news.yahoo.com/egypt-student-gets-3-jail-term-atheism-152045719.html)>

In October 2014 **Ahmad** and **Sally Harqan** (Nada Mandour) were attacked in their home by a group of men. After fleeing the scene Ahmad and Sally (who was pregnant) arrived at a police station, only to be assaulted by the police and imprisoned overnight. Ahmad is an atheist and an activist. His friends and supporters told IHEU that the arrest was linked to a complaint filed against him by several academics, in connection with his appearances on Egyptian and international media during which he discussed atheism and the right to express atheism. They were released by the prosecutor.  
<[onaeg.com/?p=1986213](http://onaeg.com/?p=1986213)>

Describing himself as a humanist after dissenting from Christianity, **Ayman Ramzy Nakhla** was interviewed on al-Nahar TV in April 2014. The interviewer, Reham Said, noting Nakhla's occupation as a college librarian, explained his rejection of religion by suggesting he was "confused" by reading too many books.

[youtube.com/watch?v=oESeyFgtpbE&list=PLx2EFu656F-ErXUFQaZ6ywgMFFm2zB\\_\\_r](https://www.youtube.com/watch?v=oESeyFgtpbE&list=PLx2EFu656F-ErXUFQaZ6ywgMFFm2zB__r)

In the weeks following the interview, the education minister announced that Nakhla was being suspended from his job and referred to the public prosecutor for spreading ideas that were "atheistic and abnormal for Egyptian society". He was accused of "denying the existence of God and denying religions, prophets and holy books, directly by satellite and indirectly within the educational institution".

[al-bab.com/blog/2014/may-june/egypt-to-eliminate-atheism.htm#sthash.E4Wp4e1S.dpuf](http://al-bab.com/blog/2014/may-june/egypt-to-eliminate-atheism.htm#sthash.E4Wp4e1S.dpuf)

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

In late July 2012 a Coptic Christian teacher, **Bishoy Kamel**, 32, was arrested in the southern governorate of Sohag over an accusation that he posted images "insulting" to Islam on his Facebook page. Police were reported by al-Ahram newspaper as saying Kamel could be charged with blasphemy and would face up to five years in prison if convicted. The images he allegedly posted were cartoons depicting the Prophet Mohammed and Egypt's new President Mohamed Morsi. Mohamed Safwat, who filed the charges against Kamel, reportedly argued that that the teacher had also "insulted members of his own family." Kamel admitted to managing the Facebook page under investigation but denied the charges, claiming his account had been hacked. In September 2012 Kamel was sentenced to six years in prison for blasphemy.

On 4 April 2012, An Egyptian court sentenced 17-year-old Christian boy, **Gamal Abdou Massoud** to three years in jail for publishing cartoons on his Facebook page that "mocked" Islam and the Prophet Mohammad. Massoud was also accused of distributing some of his cartoons to his school friends in a village in the southern city of Assiut, home to a large Christian population. The child's court in Assiut sentenced Gamal Abdou Massoud to three years in prison "after he insulted Islam and published and distributed pictures that insulted Islam and its Prophet." The cartoons, published by Massoud in December, had already prompted some Muslims to attack Christians, with several Christian houses burned and several people injured in the violence.

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

On 12 October, 2011, a court gave **Ayman Yusef Mansur**, 24, a three-year prison sentence with hard labor because he allegedly insulted the dignity of the Islamic religion with criticism on Facebook. The court did not make available what exactly Mansur posted on Facebook to draw the sentence.

On February 22nd, 2007 An Egyptian court sentenced a blogger, **Abdel Kareem Soliman**, aka Kareem Amer, to four years' prison for insulting Islam and the president. Soliman's trial was the first time that a blogger had been prosecuted in Egypt. He had used his weblog to criticise the country's top Islamic institution, al-Azhar university and President Hosni Mubarak, whom he called a dictator. On 27 October, 2007, he was sentenced for Facebook posts deemed offensive to Islam, along with being seditious toward Hosni Mubarak. He was released on 17 November 2010, upon which he was re-detained by security forces and allegedly tortured.

## Testimonies

*"I come from a Muslim family and discovered my unbelief in my teenage years. To come out as an atheist to my family and close friends was not exactly acceptable, but it was not a danger. Some people didn't like to hear that and tried to ignore me. Others tried to talk to me friendly to convince me about my "fault". Until today, my mother tries to bring me back to Islam every time I talk to her. It is the same with many family members and it is really annoying.*

*To break fasting in public or to criticize Islam or religion publicly would be hard. And Christians face more discrimination in Egypt, it is for instance hard for them to get a promotion at work. In general I would say that the normal society silently tolerates a person being atheist, although they don't really understand and accept it. They might think that you are crazy or stupid and you lose your credibility as an ethical and honest person. But being gay or an unveiled woman*

*brings more problems than being atheist itself. Consequently, you can think and believe whatever you want, as long as you keep it to yourself, but any public manifestation of it raises anger."*

— Mahmoud

*"I did not come out as an atheist in Egypt although only some of my friends knew that I am. The reason was that I already struggled with my family and at work just because I don't practice Islam. For my family part, I used to spend most of my time on my own in front of my computer, almost everyone didn't speak to me, didn't want to share anything with me just because I had different ideas.*

*For work, most of companies in Egypt don't hire Christians just because they are Christians, so I didn't have other choice but stay Muslim in their eyes. Even then, everyone at work was wondering why I am not veiled, why I don't do Ramadan or why I don't pray. I actually once had a terrible problem with my boss back then... because she doesn't like my outfits and that everyone at work say that I am kind of a slut because I am not covered enough.*

*Since my life was hell as an atheist in Egypt, I had to leave. Only now I can say out loud to my family that I am an atheist, and only now they accept it."*

— Anonymous

# Hungary

Const/Govt    Edu/Child    Society/Comm    Expression



Hungary is often said to be pulled culturally, socially and politically between “East” and “West”. The modern constitutional parliamentary democracy was introduced as lately 1989, following a long history of varying authoritarian regimes including 40 years of communist dictatorship. In the first 20 years, democratic institutions were set up and improved gradually with the country trying to catch up with European democracies, and Hungary became member of the European Union in 2004. Since 2010, however, Hungary has undergone an authoritarian, nationalistic turn.

Rating: Severe Discrimination

*This country is found to be declining, with retrograde, anti-democratic reforms implemented under an authoritarian, nationalistic government since 2010, accused of borrowing some policies from the “far-right”. There is a trend toward a systematic desecularization of the state, giving religious privileges to certain churches, and increasing governmental control over a significant part of the media.*

Constitution and government

Education and children’s rights

Family, community, society, religious courts and tribunals

Freedom of expression advocacy of humanist values

		Systemic religious privilege results in significant social discrimination	
State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)	Religious groups control some public or social services	
			Some concerns about political or media freedoms, not specific to the non-religious Concerns that secular or religious authorities interfere in specifically religious freedoms

## Constitution and government

### Toward an “illiberal” state

The popular, nationalist Fidesz party, under Prime Minister Viktor Orbán, has made conscious and explicit efforts to remodel Hungary as an “illiberal democracy” veering away from liberalism and towards an authoritarian democracy. Orbán said in 2014, “I don’t think that our European Union membership precludes us from building an illiberal new state based on national foundations”.

<[bloomberg.com/news/articles/2014-07-28/orban-says-he-seeks-to-end-liberal-democracy-in-hungary](http://bloomberg.com/news/articles/2014-07-28/orban-says-he-seeks-to-end-liberal-democracy-in-hungary)>

Since 2010, Fidesz has been formally in coalition with the Christian Democratic People’s Party (KDNP), though in reality the KDNP is usually considered a satellite party of Fidesz, or even defunct and irrelevant as an autonomous party. Either way, the Fidesz-led coalition has dominated the Hungarian Parliament, using their supermajority to adopt an entirely new constitution (which came into force 1 January 2012), which limits the role of the Hungarian Constitutional Court, undermining the separation of powers as well as the separation of church and state, the protection of human rights and the rule of law.

<[venice.coe.int/webforms/documents/default.aspx?pdffile=cdl-ad\(2013\)012-e](http://venice.coe.int/webforms/documents/default.aspx?pdffile=cdl-ad(2013)012-e)> [paragraph 145]

The operations of the government have become less transparent, the social dialogue between the government and different social groups has become virtually non-existent or a mere formality. Also serious efforts have been made by the government to control mass communication.

### Toward a religious state?

The constitution and other laws and policies theoretically protect freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. However, many new laws and constitutional changes introduced by the government since 2010 (and after reelection in 2014) have degraded these rights. Although the state is officially secular, considerable government support, including hundreds of millions of dollars, is given to the main Christian churches.

The constitution theoretically provides for freedom of thought, conscience, and religion, including the freedom to choose or change one's religion. The constitution separates church and state and stipulates that churches are autonomous, but also that the state will cooperate with so-called "incorporated" churches on community goals. The constitution's preamble expresses gratitude to the nation's first king who united the country with "Christian Europe" 1,000 years ago, and praises christianity as an agency in preserving the nation.

Deference to Christianity by officials of the governing parties is, however, pervasive in public debate, with Christianity being a staple of the Orbán administration's rhetoric. In 2015, the prime minister explicitly stated that he wants to preserve Hungary as a Christian nation, and that "Hungarians should not want to live together with Muslims" in their country.

There is a sense in which the Christianization of the state may well be regarded as a veneer for nationalism and authoritarianism generally. The convergence of church and state was initiated and maintained by the Orbán administration, while the churches – though sometimes exhibiting reluctance to accept the privileges the government wants to impose on them – are not exactly uncomfortable with the new situation, in which they have much more money for their operations and more opportunities to proselytize. In return, they do not express views critical of the government, or in some cases they become an outright part of the government's propaganda, as in case of the 2015 migrant crisis. For example, Gyula Márfi, the archbishop of Veszprém, joined in the government's campaign against Muslim refugees, saying in an interview in October 2015 that Muslims come to Europe in great numbers "to conquer Europe through faith".

## Education and children's rights

The new religion law continues to help both incorporated churches and religious associations to take control of public schools through a formal transfer agreement with the central government. Municipalities, religious groups, or school boards can initiate such transfers, but they can only be executed if the designated religious group is able to collect the signatures of at least 50 percent of the parents and adult students. Churches and religious associations operating public education institutions receive the general "normative subsidy" provided to educational institutions by the state, but officially registered churches are also entitled to a "supplementary subsidy" as well, which puts church-operated schools in a much better financial position than the ones administered by municipalities.

This financial leverage was the main factor behind a significant increase in the number of public educational institutions operated by churches – but funded by the state. In 2010 these type of schools made up only 7.7% of all public educational institutions, while in 2014 it rose to 12%. Regarding secondary general schools this figure jumped from 12% to 23% respectively, which is the highest percentage among all types of public educational institutions. Several towns have only one church-operated secondary general school, forcing non-religious parents to enrol their children either in that school or one in another town. Religious providers of educational institutions are not subject to governmental control or oversight. They can choose their terms of enrolment – which, in certain institutions, has already led to discriminations against Romani children -, their syllabus, their teaching materials, and they can be religiously committed in their everyday operation of the institution they administer.

Religious classes were introduced in all public primary schools in the 2013/14 school year. Although, they are optional to take up (the non-religious can choose ethics classes as an alternative), the government brought religion back into public schools finding another way to spend public resources on religious activities.

## Family, community and society

### Discriminatory 'church tax' and public funding

All so-called "incorporated churches" receive advantageous tax treatment compared to (unincorporated) religious communities, which operate as any other non-religious associations, but can call themselves churches. People can offer 1% of their annual income taxes to be paid to incorporated churches, and another 1% to any non-profit organizations including incorporated churches. Thus incorporated churches are eligible for 2% of the income taxes collected by the state, while other religious and non-religious non-profit organizations are eligible for only 1%.

The FIDESZ-KDNP government passed a provision in 2012 — part of a health-related law — which requires the state to amend these voluntary tax-based donations with a state subsidy if their total amount is less than 0.9% of the state's annual budget. This constitutes a further governmental revenue stream for incorporated churches (and not for other non-profit organizations) regardless of the people's actual will to support them financially.

In addition to taxpayer contributions, the government allocates public funds to incorporated churches. Additional government funding to religious organizations is provided for a range of activities, such as the maintenance of public art collections; support for religious instruction, education, and culture; annual compensation for religious property that was confiscated by the Communist regime but never restituted; and assistance to church personnel serving the smallest villages. In 2011 this financial assistance significantly increased to 34 billion forints (~\$121 million) as compared with 23.5 billion forints (~\$84 million) in 2010. Since 2014, member donations to incorporated churches are entirely exempt from the Hungarian Accounting Law, allowing them to use those funds as they see fit, without any oversight.

## Discriminatory hierarchy of religion or belief groups

Religious associations are not treated equally in Hungary. A new religion law, which took effect on January 1st, 2012, changed the registration process for religious associations from one led by the courts to one requiring the approval of parliament, and introducing a two-tier system of church recognition which provides preferential treatment for 27 incorporated churches. They 'enjoy full church status including entitlement to privileges, subsidies and tax donations', while the 350 other religious associations are in a much less privileged situation, with only limited possibilities to move from a non-incorporated church status to that of an incorporated one.

Sixteen churches, which were fully-fledged churches previously, and now belong to the second category, filed a lawsuit against the Hungarian government at the European Court of Human Rights (ECHR) for having "substantially reduced rights and material possibilities to manifest their religion, when compared either with their former status or with the currently incorporated churches." In 2014, the Court decided in favour of these 16 churches stating that "the Church Act violated the applicant churches' rights to freedom of thought, conscience and religion and freedom of association protected by the European Convention on Human Rights". These 16 religious associations want a 20-billion-forint (\$71.5 million) compensation from the Hungarian government for their lost income in the last 3 years. The government and the churches are currently in negotiations to settle the amount of the compensation and the renewal of these religious associations' status, but probably not as incorporated churches.

[tasz.hu/en/freedom-religion/ecthrs-judgment-final-hungarian-church-act-violates-freedom-religion](http://tasz.hu/en/freedom-religion/ecthrs-judgment-final-hungarian-church-act-violates-freedom-religion)

ECHR's 2014 decision makes it clear that the Church Act as well as the Fundamental Law of Hungary, "in its current form, violate the Convention on Human Rights." After one year of preparation, in September 2015 the Orbán-administration drafted a comprehensive concept to make statutory amendments to the Church Act in line with ECHR's decision. The proposed provisions, however, codify previous discrimination between religious groups, and "only rewrite the law without changing its essential content."

[osce.org/odihr/186866?download=true](http://osce.org/odihr/186866?download=true)

[tasz.hu/elkiismereti-szabadsag/velemeney-az-egyhazi-torveny-modositasanak-tervezeterol](http://tasz.hu/elkiismereti-szabadsag/velemeney-az-egyhazi-torveny-modositasanak-tervezeterol)

Discrimination exists not only between incorporated churches and religious associations, but also between religious organizations in general and non-religious organizations, especially when their socio-political leanings differ from those of the Orbán-administration. Key managerial positions at agencies distributing EU and state funds for supporting the activities of civil organizations in Hungary are held by officials formally or informally close to the current government, who award funds to NGOs supportive of the government. There are only a few foundations that operate entirely independently from the government. One of them is the Norwegian NGO Fund sponsored by the Norwegian government, which gives 40 + 4 billion forints (\$142 + 14 million) to Hungarian NGOs. The 40 billion is distributed by the government, the remainder 4 billion is awarded by Ökotárs Foundation. After the FIDESZ-KDNP coalition was re-elected in 2014, the Minister of Prime Minister's Office, János Lázár launched an attack against Ökotárs accusing them of preferential treatment for opposition-backed NGOs, and a misconduct in awarding the fund's money. In September 2014 criminal proceedings were initiated against Ökotárs, which were terminated in October 2015 in absence of any criminal activity. In spite of the court's decision, Lázár stated that he is convinced that the Foundation does its job illegitimately, which foreshadows further governmental prosecution against the Foundation.

The criminal investigation against Ökotárs was part of a full-fledged attack against independent NGOs in Hungary, which started in 2014 and continued in 2015 with audits and investigations. "At one point, there were more than 50 NGOs being audited by the government, including all of the most prominent human rights watchdog organizations and independent civil society advocates." In most cases, courts ruled in favour of NGOs, but there are still four NGOs threatened by being their tax licenses suspended and another seven are being subject to tax audits.

[hungary.usembassy.gov/bell\\_10282015.html](http://hungary.usembassy.gov/bell_10282015.html)

Here, we cannot speak of a direct discrimination against humanist or secular organizations, but about an indirect one, as these organizations are inherently part of the opposition to the current non-secular government. At the moment, there are no registered humanist or secular civil organizations in Hungary. Hungarian Secular Association started its registration process at the registry court in the fall of 2013, the court registered the Association in early 2014, but its

decision was attacked by the metropolitan prosecution office on technicalities. The Association has still not been registered.

## Freedom of expression, advocacy of humanist values

Non-religious views may be freely expressed, and anybody irrespective of their religious or irreligious beliefs can hold a public office according to law. However, there is some informal political coercion against expressing these views, especially by those holding public office. Zoltán Balog Minister of Human Resources, responsible for culture and religion, stated at a conference in 2013 that Christians are better suited to do certain public services such as education, as “they have a higher moral standard than non-Christian people”.

The criminal code has a provision on the “Violation of the Freedom of Conscience and Religion,” which criminalizes violence or threat, punishable by up to three years in prison. Public incitement of hatred against any national, ethnic, racial, or religious group is a felony punishable by imprisonment for up to three years. (These restrictions do not appear to have been used as a de facto blasphemy law to prohibit legitimate criticism of a religion.)

## Media control

Under the new media legislation taking effect in 2011, media outlets must register with the new National Media and Infocommunications Authority (NMHH), which has the power to revoke licenses. A new Media Council under the NMHH can close outlets or impose fines of up to \$950,000 for violating vaguely defined content rules. Fidesz, with its parliamentary supermajority, controlled appointments to the Media Council, whose members serve nine-year terms. The council's president, who is directly appointed by the prime minister, nominates the heads of all public media outlets for approval by a Fidesz-dominated board of trustees. Despite minor amendments to the legislation made in March 2011 and again, following a December 2011 Constitutional Court ruling, in May 2012, international press freedom organizations insist that the laws do not adequately protect media independence. European Commission vice president Neelie Kroes stated in June 2012 that the May amendments had addressed only 11 of 66 recommendations made by the Council of Europe.

Domestic ownership of Hungarian media is highly concentrated in the hands of Fidesz allies. The government is the country's largest advertiser and has withdrawn most advertising from independent media since the 2010 elections. According to Freedom House, there is anecdotal evidence that private companies withhold advertising from independent media to avoid losing government contracts. In 2011, Dániel Papp, co-founder of the far-right race-baiting political party Jobbik, was named as editor in chief of the news office at the MTVA media fund, which is responsible for the management of all public media. Extensive layoffs followed. In 2011 the Media Council prevented Klubradio, a radio station that is critical of the Fidesz government, from renewing its broadcasting license for five frequencies.

Ever since, the (directly and indirectly) FIDESZ-controlled media empire continued to expand. In July 2015, MTVA launched its sixth channel, exclusively dedicated to sports. The state television has an 80 billion forint (\$286 million) budget for 2015, plus the government assumed its 47.2 million forint (\$168.5 million) debt this September. For 127.2 million taxpayer forints only in 2015, the government has its own propaganda machine echoing such unfounded government statements as there are terrorists among the refugees. The Hungarian Helsinki Committee for Human Rights, for example, assessed MTVA's coverage of this year's refugee crisis in Hungary as biased and unfair, and noted that the state television uncritically adopted government rhetoric about this issue hindering reasonable public debate, and undermining social cohesion and integration.

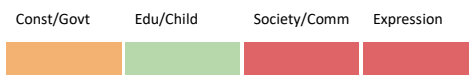
Andy Vajna, government commissioner in charge of the Hungarian film industry and one of the few casino license-holders, tried to buy the second largest Hungarian commercial television network, TV2 this October. His ownership rights, however, are disputed by another media entrepreneur, who also states buying the same television network. The two parties took their dispute to court.

In September 2015, Viktor Orbán's 'informal advisor', Árpád Habony launched a pro-government news portal (888.hu) through one of his business interests to counter dissenting and adversarial voices on the internet, which dominate the online media landscape.

[budapestbeacon.com/featured-articles/orban-advisor-launches-pro-government-news-portal/28026](http://budapestbeacon.com/featured-articles/orban-advisor-launches-pro-government-news-portal/28026)

The law prohibits public denial, expression of doubt, or minimization of the Holocaust, genocide, and other crimes committed by the National Socialist and Communist regimes; there is a maximum sentence of three years in prison for such offenses.

# India



India is the world's most populous democracy, religiously pluralistic, and for many years proud, in the main, of its secular constitution.

*This country is found to be declining. New concerns about freedoms of belief and expression have been raised under the presidency of Narendra Modi.*

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism	'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
Preferential treatment is given to a religion or religion in general			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Anomalous discrimination by local or provincial authorities, or overseas territories			Some concerns about political or media freedoms, not specific to the non-religious
	No formal discrimination in education		

## Constitution and government

India is a secular republic and its constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of expression, assembly and association.

However, some state-level laws and policies restrict this freedom, and there continues to be some violence between religious groups and organized communal attacks against religious minorities.

Since the ascension of president Modi in particular, there are concerns of a rise in Hindu nationalism, both socially, and on the part of officials appearing to elevate and promote a politicised Hinduist agenda.

Between 2013 and 2015, three prominent rationalists have been assassinated, apparently because of their work combating superstition or Hindu nationalism (see "Highlighted cases" below). The authorities were quick to promise action, but were also accused of prematurely ruling out extremist Hindu nationalist parties.

## Education and children's rights

There are a mixture of state and private schools, and some disparity between different states in this large and varied democracy. There has been debate for decades about whether India's famous constitutional secularity, in a socially very religious country, should mean the exclusion of religion from the classroom, or its inclusion either with instruction for all, or under a comparative framework, and there were even experiments with a secular moral education.

Today, generally, the religious affiliation of children may be obvious from symbolic religious attire, and this is not discouraged or unlawful, but in this religiously diverse society the placing of undue influence on children through religious instruction is usually avoided in favour of inclusive secular norms, and parents who felt that their children were being wrongfully exposed to unwanted religious instruction would have legal recourse.

In 2002 the Supreme Court ruled that, "Children must be made aware of [the] basics of all the religions of the people of India. They should know the commonalities and learn to respect differences wherever these exist."

Dating back to the British Raj, some Christian and even some secular schools do offer Christian instruction, as an optional extra.

The nature of some private Islamic schools, and the taboo in some Muslim communities against educating girls, may be largely responsible for Muslims underperforming in literacy statistics.

## Family, community and society

### Rise of violence against religious minorities

The presidency of Narendra Modi has been linked to a rise in Hindu nationalism, with reports of attacks on religious minorities still increasing. Statistics on inter-communal violence show a 30% increase in the first half of 2015 with a total of 330 attacks, of which 51 were fatal, compared with 252 attacks, 33 of which were fatal in the same period of 2014. However these statistics pale in comparison with the anti-Muslim riots in 2002 in Gujarat, with more than 1000 people killed in violent clashes after 60 Hindu pilgrims died in a fire on a train.

[bbc.co.uk/news/magazine-33241100](http://bbc.co.uk/news/magazine-33241100)

2013 saw a rise in violence in the lead up to the election of Modi with 60 people were left dead after violence flared up between Muslims and Hindus in Muzzafarnagar. Since then smaller incidents of violence have been reported. "Just like those riots, now Hindus in the villages are trying to drive Muslims out of the villages – repeated attacks have created an atmosphere of fear," says Mohammad Jamshed, whose brother-in-law, Deen Mohammad, was left paralysed after being shot at a demonstration demanding for police action to halt the violence against Muslims.

A number of BJP politicians have made derogatory remarks about minorities, including Giriraj Singh who is quoted as having said that "those opposing Modi will have to go to Pakistan" and Niranjana Jyoti who implied that non-Hindus were bastards by saying "should the country be led by sons of Ram [a Hindu god] or by sons of bastards?" Sakshi Maharaj also said that "each Hindu woman should mother four children in order to protect the predominance of Hindus".

Despite these remarks Mukhtar Abbas Naqvi, Minister for Minorities says that "you cannot judge the government with isolated incidents of violence or isolated statements by some ministers."

## Freedom of expression, advocacy of humanist values

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

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

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

### "Insult" and "blasphemy"

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

## The Information Technology Act

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

However, after receiving several petitions from NGOs, civil rights groups and individuals citing the misuse of the Act by authorities to make illegitimate arrests, in March 2015 the Supreme Court struck down Section 66A of the Information Technology Act declaring it unconstitutional.

[timesofindia.indiatimes.com/india/Supreme-Court-strikes-down-Section-66A-of-IT-Act-which-allowed-arrests-for-objectionable-content-online/articleshow/46672244.cms](http://timesofindia.indiatimes.com/india/Supreme-Court-strikes-down-Section-66A-of-IT-Act-which-allowed-arrests-for-objectionable-content-online/articleshow/46672244.cms)

"Political parties have often spoken in different voices about Section 66A. The Supreme Court's historic decision is a crucial victory for free speech and expression, and a reminder to the government *about the importance of respecting this right...*"

– Shemeer Babu, Programmes Director at Amnesty International India.

[<amnesty.org/en/latest/news/2015/03/india-supreme-court-upholds-online-freedom-of-expression/>](https://www.amnesty.org/en/latest/news/2015/03/india-supreme-court-upholds-online-freedom-of-expression/)

## Freedom of assembly and association

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

## Highlighted cases

On 16th February 2015, **Govind Pansare** and his wife Uma were shot at by two men on motorcycles outside their house having returned from a morning walk, he later died of his injuries. He was a senior left-wing politician of the Communist Party of India (CPI), a writer and rationalist, having often spoken out against right-wing groups. Pansare was a member of the Kolhapur Anti-Toll Committee having taken a lead in the campaign. Comparisons have been drawn between this attack and the earlier murder of anti-superstition activist Narendra Dabholkar (below). Raghunath Kamble, general secretary of CPI's Kolhapur unit has said that a few months before Pansare had received anonymous letters, saying “Tumcha Dabholkar Karu [you would also be killed like Dabholkar]”. Kamble said that Pansare had received threats several times in the past but that he would “ignore such threats and continued with his work.” Hamid Dabholkar (Narendra Dabholkar's son) criticised those dismissing similarities in the two cases, pointing out that both Dabholkar and Pansare were rationalists and opponents of right-wing extremism, and had been threatened several times.

[<indianexpress.com/article/india/politics/kolhapur-senior-cpi-leader-govind-pansare-wife-injured-in-firing/>](http://indianexpress.com/article/india/politics/kolhapur-senior-cpi-leader-govind-pansare-wife-injured-in-firing/)

In August 2015, **M.M. Kalburgi**, a 77 year old rationalist scholar and college professor, was shot dead in his home in the southern state of Karnataka. As in the case of Govind Pansare, two unidentified male assailants on a motorbike were responsible. Kalburgi had received death threats following his criticism of idol worship during a seminar in 2014. In a statement to the Hindustan Times newspaper his daughter Roopadarshi said that “There was a threat to my father from groups that couldn't digest his views on caste and communalism. The role of these groups should be probed...”

[<time.com/4016747/mm-kalburgi-india-murder-rationalist-idol-worship-hindu-nationalism/>](http://time.com/4016747/mm-kalburgi-india-murder-rationalist-idol-worship-hindu-nationalism/)

On August 20, 2013, leading anti-superstition campaigner **Narendra Dabholkar** was shot and killed by two men on a motorbike. The murder came just days after the state government pledged to re-introduce an anti-superstition bill, aimed at making it an offence to exploit or defraud people with ‘magical’ rituals, charms and cures. This bill was closely associated with Dabholkar's work, and was opposed by many rightwing and Hindu nationalist groups who labelled it “anti-Hindu”. Dabholkar was a long-time activist in India's rationalist movement, founder-president of Maharashtra Andhashraddha Nirmoolan Samiti (MANS), an anti-superstition organization, and a leader of the Federation of Indian Rationalist Association, a member organization of the International Humanist and Ethical Union. The anti-superstition bill was passed into law soon after Dabholkar's assassination.

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

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

# Iraq

Const/Govt

Edu/Child

Society/Comm

Expression

Iraq is surrounded by Saudi-Arabia, Jordan, Syria, Turkey, Iran and Kuwait, and has been at the centre and conflux of events not just in the region but worldwide for decades. Iraq is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression  
advocacy of humanist values

<p>Complete tyranny precludes all freedoms of thought and expression, religion or belief</p> <p>Religious authorities have supreme authority over the state</p> <p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>The non-religious are barred from holding government office</p>	<p>Religious indoctrination is utterly pervasive in schools</p> <p>Religious instruction in a significant number of schools is of a coercive fundamentalist or extremist variety</p>	<p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>'Blasphemy' or criticism of religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>'Apostasy' is outlawed and punishable with a prison sentence</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>

## Constitution and government

The constitution establishes God's "right" over the people and government, and Article 2 emphasizes Islam as a "foundation source of legislation".

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. However, these rights are frequently violated in practice by the government and also as a result of sectarian violence.

## Religious persecutions

Followers of the Baha'i faith has been persecuted since many years. Since 1970, Baha'is have been denied citizenship or other travel documents, such that it has not been possible for them to leave the country.

The almost complete emigration of the Jewish minority has brought to an end 2600 years of Jewish history in Iraq. Since 2003 only 10 Jews live in Baghdad and few families in Kurdistan.

Under the Saddam Hussein regime some religious minorities were favoured in different ways. Christians and Yazidis were allowed to trade in alcohol, also the Sunni minority faced a flavoured treatment under Saddam Hussein, such that all these minorities became a target in the violent or strict developing Islamic society. Many of them have fled as exiles to Western Europe or United States, because they don't see a future for themselves in Iraq anymore.  
<[dw.de/iraqs-religious-minorities-flee-north/a-16707733](http://dw.de/iraqs-religious-minorities-flee-north/a-16707733)>

## ISIS

In June 2014, Sunni Jihadists declared the "Islamic State of Iraq and Syria" (ISIS). The forerunner group arose in 1999 and was the predecessor of Al-Qaeda in Iraq and participated in military fights against US-led forces. The militants have carved out significant territory in Iraq, and in 2015 have drawn increasing numbers of followers internationally, however they are known for violent executions, sexual slavery, and the persecution of religious minorities, as well as "apostates" and "blasphemers", those they accuse of homosexuality, and anyone who offers any opposition to their hegemony.

## Education and children's rights

The government requires Islamic religious instruction in public schools, but it doesn't demand the participation from non-Muslim students. However there are continued reports of educational discrimination from religious minorities (Christians, Yazidi).

The Ministry of Education includes an office for Kurdish and other language education. In Mosul, ISIS-occupied second-largest city in Iraq, ISIS terrorists discarded arts, music, history and courses about Christianity from curriculum of public schools. Many parents decided to take children's education in their own hands and to teach their children in homeschooling. The ISIS-made changes in Mosul were announced in posters and all those who don't follow them have been warned to face punishment.

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

## Family, community and society

### 2015 religious conversion law

In November 2015, a new law was enacted which directly discriminates against non-Muslim religion or belief minorities by obliging children to be registered as belonging to the religion of converting parents, but only if the parent converted to Islam, and also under marital laws which are already sexually and religiously discriminatory. The National Card Law law, Article 26, paragraph 2, says "children shall follow the religion of the converted parent to Islam", which would in effect force non-Muslim children to become Muslims if the male parent converts to Islam or if the children's non-Muslim mother marries a Muslim man. Non-Muslim step-children of a Muslim father would be forced to become Muslims. The law was protested vehemently by religious minorities in and out of parliament.

*"Even if parents basically ignore the law and raise their child in their faith, upon turning 18 these young adults will have to deal with the fact that their religion is officially listed as Islam. If they attempt to change that listing, they will be accused of apostasy and be subject to persecution or worse."*

<[nationalreview.com/article/427176/religious-minorities-victimized-iraq-nadine-maenza](http://nationalreview.com/article/427176/religious-minorities-victimized-iraq-nadine-maenza)>

However, it was reported in December 2015 that the new law may be repealed, with some parliamentarians citing the need to restore "unity". Kadhim al-Shammari, MP from the National Coalition, struck a positive note, saying, "We hope it culminates with the amending the article once and for all, including giving full freedom for all groups in the selection of the religion that suits them according to the principle of no compulsion in religion."

<[freedomdeclared.org/news/iraqs-child-conversion-law-may-yet-be-repealed/](http://freedomdeclared.org/news/iraqs-child-conversion-law-may-yet-be-repealed/)>

## Everyday discrimination

Non-Muslims report systematic discrimination, which are especially related to employment opportunities. Iraqi women are often objects of sexual and social discrimination in workplaces. It took a long time for women in Iraq to obtain the rights to work, but a 2013 report made by the Central Bureau of Statistics indicated that a high number of high educated women didn't enter the labor market:

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

## Freedom of expression, advocacy of humanist values

Freedom of media is guaranteed by the Iraqi constitution but it is restricted in practice by the threat of violence. Many journalists received threats and a number of them were killed in 2013 and after proclamation of Islamic State.

## Being atheist

Being openly atheist is risky and rare, making estimates of irreligiosity extremely hard to make. The now defunct Kurdish news agency, AKnews, released a poll in 2011 on Iraqi belief in God. The answers surprised many Iraqis, with 67% professing belief, 21% probably believing, 4% saying they probably didn't believe in God, and 7% who didn't.

<[yourmiddleeast.com/features/without-god-in-baghdad\\_21355](http://yourmiddleeast.com/features/without-god-in-baghdad_21355)>

There are some websites or blogs for nonbelievers but the lists of members is kept secret for fear being persecuted or even murdered by terrorist religious groups.

In areas controlled by the terrorist militia ISIS the crime of “apostasy” is punishable by death.

## Highlighted cases

A 15-year old atheist **Ahmad Sherwan** was imprisoned in solitary confinement, tortured by electric shock, and threatened with murder, after a discussion in which he told his father that he no longer believed in God, after undertaking “extracurricular” reading. His father then reported him to the police who held and tortured him. He was released after 13 days.

[yourmiddleeast.com/culture/interview-with-persecuted-young-atheist-in-erbil\\_23918](http://yourmiddleeast.com/culture/interview-with-persecuted-young-atheist-in-erbil_23918)

ISIS terrorists publicly executed a leading female lawyer and human rights activist in September, 2014. **Samira Salih al-Nuaimi** lived in Mosul. She criticized ISIS online in Facebook posts and shortly afterwards she was seized from her home and tried by an ad hoc Sharia court for apostasy. She was finally sentenced to public execution.

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

# Maldives

Const/Govt    Edu/Child    Society/Comm    Expression



Though most famous internationally as a popular tourist destination, Maldives has been described as undergoing a battle between liberal and literal interpretations of Islam, with serious human rights violations linked to fundamentalists including youth groups, and attacks on perceived atheists and homosexuals in recent years.

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression advocacy of humanist values

<p>Religious authorities have supreme authority over the state</p> <p>State legislation is largely or entirely derived from religious law or by religious authorities</p>		<p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p>		<p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	<p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

## Constitution and government

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

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

Mosques are required to register with the government. The government maintains and funds most mosques.

The constitution stipulates that the president must be Sunni. The constitutional language on the fundamental rights and duties of citizens does not provide for the right to freedom of religion or belief. Furthermore, the constitution precludes non-Muslims from voting and holding public positions.

The constitution does not prohibit discrimination based on religious preference; religion is excluded from a list of attributes for which people should not be discriminated against.

## Education and children's rights

The Ministry of Islamic Affairs mandates Islamic instruction in schools and funds salaries of religious instructors. It also certifies imams, who are responsible for presenting government-approved sermons. By law, no one may publicly discuss Islam unless invited to do so by the government, and imams may not prepare sermons without government authorization.

## Family, community and society

### Kidnap and intimidation of atheist Facebook users

In June 2014, around 40 men, including known religious extremists and local gang members, abducted several young men who had advocated for secularism and/or gay rights, in a spate of kidnappings in Malé City, with the apparent aim of intimidating online secular activists and taking over "blasphemous" pages. (See "Highlighted cases" below).

Analysts have raised concerns over the growing threat of extremism in the Maldives. A recent report by the US State Department expressed concern over radicalization of youth groups and said funds are being raised in the Maldives to support terrorism abroad. Maldivian media have also said they feel threatened by religious extremists and gangs. [jihadwatch.org/2014/06/maldives-muslims-kidnap-atheists-force-them-to-accept-islam](http://jihadwatch.org/2014/06/maldives-muslims-kidnap-atheists-force-them-to-accept-islam)

### Family law

By law, a Maldivian woman cannot marry a non-Muslim foreigner unless he converts to Islam first. A Maldivian man, however, can marry a non-Muslim foreigner, if the foreigner is from a religion that is allowed under Islamic Shariah, i.e., Christianity and Judaism. A Maldivian man cannot marry a non-Muslim foreigner from a religion not allowed under Islamic Sharia unless that person converts to Islam prior to marriage.

## Freedom of expression, advocacy of humanist values

The constitution guarantees freedoms of expression and the press. However, journalists and media outlets routinely face legal harassment and physical assault for reporting anything critical of the government.

In 2014 police officials confirmed that they were investigating atheist social media for non-compliance with this prohibition (see "Highlighted cases", below).

The law prohibits public statements that are contrary to Islam and violators face penalties ranging from two to five years in prison or house arrest.

Several articles in the constitution make the practice of Islam mandatory. Article 36 states that it is imperative for parents and the state to provide children with primary and secondary education and section (c) of that article states schools are required to "inculcate obedience to Islam" and "instill love for Islam." This appears to mean that parents must educate their children as Muslims, whether they are Muslim or not.

## Highlighted cases

In a series of kidnappings in June 2014, **several perceived atheists and homosexuals in Malé city** were detained and intimidated by large gangs of approximately 40 men. The abductees were interrogated on their beliefs, tested on passages from the Quran, and asked to recite the Shahadha (Islamic creed). The men were accused of atheism and homosexuality, and threatened with death. They were forced to hand over their Facebook account passwords and pressured to identify the administrators of the 'Secular Democratic Maldives Movement' and 'Maldivian Atheists' on Facebook. The Maldivian Democratic Party made a statement on the kidnappings, saying, "The extremists blindfolded the young people, took them to remote locations against their will, threatened them with sharp weapons, threatened

them with death, issued sentences in a vigilante trial and are now implementing these sentences..." Sources suggest all individuals were later released, but were locked out of their social media accounts and warnings about "blasphemy" appeared on the commandeered pages. Minivan News reported that members of the vigilante group had been photographed in a meeting with Islamic Minister Sheikh Mohamed Shaheem Ali and youth groups who were protesting against homosexuality and the "harassment" of Islam, along with a meeting with the Home Minister Umar Naseer. <[minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753](http://minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753)>

During the period of the kidnappings, a group of men including a man referred to in Minivan News by the pseudonym **Adam Ghafoor** were attacked by a mob of eight at a café. The attackers accused them of atheism and homosexuality. (The group had met for breakfast after having been at a gym, and so were dressed in shorts and t-shirts, which attire seems to have sparked the accusation of homosexuality.) One of the attackers is reported as having said, "You homosexual atheists are destroying our country – we will not stand back and watch you do it." He asked Ghafoor to recite the Shahada. Members of the group then attacked Ghafoor and threatened him with further violence or death if they saw him again. <[minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753](http://minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753)>

One of the Facebook Pages hijacked on 8 June 2014 was named '**Colourless**'. It had been run by liberal activists, and had 4,865 members, with the aim of bringing a "divided nation to a common ground as a platform to advocate peace, love and harmonic co-existence." Having stolen passwords, the new administrators changed the group's banner to the black Shahadha flag, and the whole page was later deleted. One of the administrators, **Jennifer Latheef**, said that she and the other administrators had received death threats along with warnings from Facebook users over the preceding months to remove comments they found offensive. The group decided to allow free speech but asked members not to attack or insult the religious beliefs of others. Another Facebook group called 'Shariah4Maldives' then posted pictures of the administrators.

Having covered the kidnappings, a Minivan News journalist **Ahmed Rilwan** who had himself been linked to the Maldivian Atheists Page, then disappeared in August 2014. Reports suggest that he was abducted at knife point from outside his apartment building. Minivan News, an independent online publication, subsequently received a death threat in the form of a machete through their premises door and an SMS text reading: "You will be killed next". Minivan News and Raajje TV were then issued with arson threats and evacuated by police. A report commissioned by the Maldivian Democracy Network NGO, linked radicalised gangs to the disappearance. The Maldives Police Service subsequently announced the arrest of three suspects in connection with Rilwan's disappearance, but also criticised marches protesting their slow handling of the case. Journalists for a number of news publications that covered the story have received anonymous threats warning of further violence if they don't drop their coverage. Meanwhile, Rilwan's family, friends and colleagues have continued to raise concerns about the speed and current conclusions of police investigations.

<[independent.co.uk/voices/comment/voices-in-danger-in-the-maldives-its-not-just-knives-that-journalists-are-being-threatened-with-9791754.html](http://independent.co.uk/voices/comment/voices-in-danger-in-the-maldives-its-not-just-knives-that-journalists-are-being-threatened-with-9791754.html)>  
<[ifj.org/uploads/media/South\\_Asia\\_Press\\_Freedom\\_Report\\_2013.pdf](http://ifj.org/uploads/media/South_Asia_Press_Freedom_Report_2013.pdf)>

There were rumours that Rilwan was connected to the Maldivian Atheist Facebook Page, though prominent fellow blogger Hilath Rasheed (see also Rasheed's own case below) said in September 2014 that he knew the admins at least by nickname, and that Rilwan was not one of them. The accusation was a "cheap trick", he said, to turn the public against Rilwan so they would move on and forget that the authorities had failed to bring anyone to justice in connection with his disappearance. <[vnews.mv/25749](http://vnews.mv/25749)>

Officials confirmed in March 2013 that they were investigating "anti-Islamic" social media activity. Though the "investigation" had a broader purview, the Facebook Page "**Dhivehi Atheists/Maldivian Atheists**" appears to have been at the forefront. The Page had been accused of "insulting God" and posting "offensive" cartoons, by the religious conservative Adhaalath party. Liked by 300 users, the majority of the posts were in local Dhivehi language, and the page encouraged Maldivians to leave Islam and "choose the path of science and reason". Several posts made by visitors accused various people of being behind the Page and threatened to kill them. Many visitors have stated that the administrator had been identified as a woman. <[sun.mv/39714](http://sun.mv/39714)>  
<[minivannewsarchive.com/politics/police-investigating-anti-islamic-activity-on-social-media-80245](http://minivannewsarchive.com/politics/police-investigating-anti-islamic-activity-on-social-media-80245)>

A closed (i.e. private) group called "Against Dhivehi Atheists / Maldivia" <[facebook.com/groups/standagaistdhivehiathiest/](https://facebook.com/groups/standagaistdhivehiathiest/)> says of itself: "The main purpose of this group is to report to facebook about the page [Dhivehi-Atheists-Maldivian-Atheists] Please add as much friends as you can, and spread the message". This tactic may have worked, since as of December 2015 the original page <[facebook.com/pages/Dhivehi-Atheists-Maldivian-Atheists/](https://facebook.com/pages/Dhivehi-Atheists-Maldivian-Atheists/)> is not accessible.

On June 2 2012, **Ismail Khilath 'Hilath' Rasheed** was attacked with a knife outside his house, narrowly escaping a fatal injury. Rasheed, an openly gay blogger and journalist who advocates for freedom of religion and a fierce critic of Islamic fundamentalism, had previously been threatened online in an article published on Muraasil.com. Rasheed was also the main victim in an attack by Islamist extremists on a silent protest in 2011. Rasheed has since left the Maldives. <[minivannewsarchive.com/news-in-brief/democracy-suffers-in-maldives-in-the-face-of-rising-fundamentalism-asia-sentinel-39978](http://minivannewsarchive.com/news-in-brief/democracy-suffers-in-maldives-in-the-face-of-rising-fundamentalism-asia-sentinel-39978)>

[minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753](http://minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753)

[minivannewsarchive.com/society/maldivian-journalist-threatened-with-beheading-4438](http://minivannewsarchive.com/society/maldivian-journalist-threatened-with-beheading-4438)

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

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

[examiner.com/article/atheist-asylum-seeker-commits-suicide-maldives](http://examiner.com/article/atheist-asylum-seeker-commits-suicide-maldives)

# Moldova

Const/Govt Edu/Child Society/Comm Expression



With a population somewhat over 3.5 million, Moldova is a parliamentary republic nestled between Romania and Ukraine.

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression advocacy of humanist values

There is systematic religious privilege		Discriminatory prominence is given to religious bodies, traditions or leaders	
Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious

## Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. While these rights are generally respected in practice, there is preferential treatment Moldovan Orthodox Church (MOC).

In a report based on his September 2011 visit, the UN Special Rapporteur on Freedom of Religion or Belief noted that the government's respect for the freedom of religion improved in recent years. However, the report noted the "overly predominant" position of the MOC, which had a privileged status at variance with the constitutional provisions of a secular state. The report noted that the predominance and attitude of the MOC also existed in the Transnistria region, with negative consequences for minority religious groups.

There is no official state religion, and it is illegal to discriminate on the grounds of religion. However, the law on religion describes the "exceptional importance and fundamental role of the Christian Orthodox religion, particularly that of the MOC, in the life, history, and culture of the people of the Republic of Moldova." The Metropolitan of Chisinau and all Moldova, the highest-ranking cleric in the MOC, holds a diplomatic passport and is the only religious leader known to be accorded such treatment.

## A populist president

Socialist Party leader Igor Dodon, known as a strong admirer of Russian president Vladimir Putin, won the presidential election in November 2016 (though narrowly, and with some reported irregularities) over pro-European candidate Maia Sandu. Dodon had received glowing support from the Moldovan Orthodox Church (in effect a branch of the Moscow Patriarchate). The Orthodox Bishop Marchel openly supported Dodon, calling him a "Christian and patriot", and contrasting him favourably with his opponent, Ms Sandu, who was disparaged for being unmarried and for not having children. Others "accused" Sandu of being a lesbian on those same grounds. Dodon and the Bishop Marchel both cited the support of gay people for Ms Sandu as a reason not to vote for her. On claiming victory, Dodon promptly invited Patriarch Kirill to visit Moldova, adding: "I would like to assure you that the Moldovan people are forever faithful to the Orthodox Church." Dodon overtly compares himself to the Russian president, saying "I will run Moldova just the same way Putin runs Russia, I assure you... In the current anarchy that we see around, Moldova immediately needs an iron fist, a strong vertical of power." Having promised everything to anyone who would listen during the campaign, he could also be compared to Donald Trump.

[bbc.co.uk/news/world-europe-37948154](http://bbc.co.uk/news/world-europe-37948154)

[interfax-religion.com/?act=news&div=13426](http://interfax-religion.com/?act=news&div=13426)

[thedailybeast.com/articles/2016/10/29/igor-dodon-is-vladimir-putin-s-moldovan-mini-me.html](http://thedailybeast.com/articles/2016/10/29/igor-dodon-is-vladimir-putin-s-moldovan-mini-me.html)

## Education and children's rights

According to the law on education, "moral and spiritual instruction" is mandatory for primary school students and optional for secondary school and university students. However, the instruction does cover a wide range of topics and issues, including moral, spiritual, artistic, aesthetic, and ethical standards, with the aim of providing students with a broad understanding of human values. Topics covered include truth, goodness, peace, patriotism, faith, wisdom,

tolerance, justice, team spirit, and trust in virtues. There are three optional courses: "Christian-Orthodox Education," "Religion," and the "History of Religions," which are taught from manuals developed by the Ministry of Education and the MOC and include teaching guidelines developed with the support of the BOC.

The separatist region of Transnistria, also has formal freedom of religion, but Transnistrian law affirms the role of the Orthodox Church in the region's history, and favours that Church in practice.

## **Freedom of expression, advocacy of humanist values**

The constitution protects freedom of expression and assembly and the current Moldovan government has generally protected those rights. However, the government in separatist Transnistria significantly restricts media freedom.

# Netherlands

Const/Govt	Edu/Child	Society/Comm	Expression

Netherlands is a democratic, constitutional monarchy in Western Europe, generally recognised as a liberal and progressive country.

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression advocacy of humanist values

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

No formal discrimination in education

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

No fundamental restrictions on freedom of expression or advocacy of humanist values

## Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally upheld.

## Education and children's rights

The formal educational system is divided between public and so called 'special' ("bijzondere") schools. Both are funded by the state. Special schools may be based on a religious or a secular pedagogical system. Approximately two-thirds of all primary schools are special schools, most of which are mildly, inclusive religious schools. Special schools are allowed by law to refuse pupils and teachers on the basis of their lifestyle or belief-system and have the rights to be secretive about their financial situation and funding, however this applies both to religious and to secular-pedagogical special schools, and in practice only a small number of very orthodox religious schools use this measure. Schools may not discriminate in the employment of teachers.

In 2015, the Secretary of Education, Culture and Welfare further reformed the educational system, with the express intention of better adapting education to the contemporary, secular society of the Netherlands. As part of this process, various proposals have been made to make more room to incorporate the present and actual wishes of parents, as opposed to assuming classical religious divisions. In this light, a number of public initiatives have been taken to achieve acceptance of Humanism as a visible and important lifestance, and permitting state-funded "humanist schools" with public funding on a par with religious and other secular schools. In 2016 the first Humanist secondary school (MAVO) was opened in Amsterdam.

Humanists are permitted to, and do, provide humanist education in public primary schools. At present, the Dutch government is making policies for future funding, the result of which is still unknown.

## Family, community and society

The government provides no direct financial support for religious or secular/philosophical (including Humanist organizations). But counsellors (both religious and humanists) in the army, the penal and health-system are equally financed by the government (in the army and penal system this funding is made on the basis of requests and needs).

There is a growing proportion of individuals that identify as non-religious, at present more than half of the Dutch population. However, government research initiatives are still failing to update social measures and classifications; for examples Christians are sometimes subdivided into Protestant and Catholic denominations, while the majority of non-religious citizens in the Netherlands are usually identified as 'other'. The Dutch Humanist Association (Humanistisch Verbond) has requested an update of these research categories, in which the life'-stance and worldviews of the nonreligious are being taken more seriously.

Same-sex marriages have been legal in the Netherlands since 2001. It is guaranteed that in every town a same-sex marriage can be registered and civil servants may not refuse same-sex marriages.

Social pressure inside conservative religious groups — against for instance the rights of women, sexual minorities and more liberal religious views — is of ongoing concern.

# Freedom of expression, advocacy of humanist values

Although the freedom of expression, thought and religion is guaranteed by law in the Netherlands, there is doubt concerning the reality of this individual freedom within mainly Muslim communities. The social and cultural pressure for those raised in a conservative religious family not to change religion or become non-religious can be high. This lack of 'horizontal' freedom (the freedom in relation to family, friends and neighborhood) remains a concern. Ex-Muslims often keep their views hidden from family and friends.

The Platform of New Freethinkers – an initiative of the Dutch Humanist Association, *Humanistisch Verbond*, mainly oriented towards ex-Muslims – reports a strong hesitance of new freethinkers to express their skeptical views publicly. A second group of New Freethinkers, also initiated by the Dutch Humanist Association, consists of refugees who fled their country because of their humanist or atheist life-stance. Some of them do speak out in the media and in documentaries.

People who ask for asylum because they have been threatened in relation to their atheism, agnosticism or secular activists critical of religion, often don't feel safe in asylum centers where the majority of the population is Muslim. They are not always protected to show their life-stance: after complaints to personnel or police some of them have been advised to remain silent about what they do believe and don't for safety reasons. The Dutch government does not have a clear policy for the protection of atheist asylum seekers and refugees in the centers.

The government has said it will promote information about the rights of the non-religious, starting in December 2016.

## Blasphemy abolished

As of 2014, the Dutch Penal Code no longer criminalizes "blasphemy". Humanist and freedom of expression campaigners in the Netherlands do not, for the moment, foresee any further attempts to reintroduce anti-blasphemy laws.

It is a crime to engage in public speech that incites hatred against persons on the ground of their race, religion or non-religious belief, gender, sexual orientation and (dis)abilities. The Dutch Penal Code also penalizes defamation of groups because of their race, religion or conviction, sexual orientation and (dis)abilities. Neither of these laws prohibits criticism per se of persons, ideas or institutions and they do not constitute 'blasphemy'-type restrictions.

# Nigeria

Const/Govt    Edu/Child    Society/Comm    Expression



In Nigeria, approximately half of the population are Muslims, about 40 percent are Christians, and roughly 10 percent are of traditional indigenous religions or no religion. While the constitution guarantees religious freedom, the state endorses numerous anti-secular and theocratic policies. The government and non-state militia such as Boko Haram constantly violate the rights to freedom of thought and expression.

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression  
advocacy of humanist values

			<p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>'Blasphemy' or criticism of religion is outlawed and punishable by death</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p> <p>Systemic religious privilege results in significant social discrimination</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p>
<p>Preferential treatment is given to a religion or religion in general</p>		<p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

## Constitution and government

The Nigerian Constitution protects freedom of religion and allows religious conversion. Section 10 of the constitution states, 'The Government of the Federation of a State shall not adopt any religion as State Religion.'

However, sections 275–279 of the Constitution give constituent states the power to establish their own Sharia courts on civil matters. Abiding by Sharia law is required for Muslims in some states but optional in others and enforcement differs by state. Rulings and procedures are sometimes difficult to find. Christians are not obliged to abide by Sharia law in any of the 12 states.

Proselytizing in public is illegal in some states, on the grounds that it deters ethnic conflict. Religious groups are required to have permits to build places for worship and hold public gatherings. Christian and Islamic groups are required to register with the Corporate Affairs Commission (CAC) to do so. Religious discrimination is prohibited by law, but there are significant inter-religious social tensions.

## Education and children's rights

It is a requirement for all students in the public education system to receive instruction either about Christianity or Islam, though the constitution states that institutions cannot subject students to instruction in a religion other than that inherited

from their family. In practice, Christian education classes are not offered in many Northern states and Muslim education classes are not always provided in Southern states.

The Constitution states:

“Section 38:2 No person attending any place of education shall be required to receive religious instruction or to take part in, or attend any religious ceremony or observance if such instruction, ceremony or observance relates to a religion not approved by his parent or guardian.”

“Section 38:3 No religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any place of education maintained wholly by that community or denomination.”  
<[nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm#Chapter\\_4](http://nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm#Chapter_4)>

According to the constitution students are not obliged to receive education of a religion that is not their own. However, Islamic or Christian religious education is mandatory in public school students in many regions in the country. State authorities sometimes claim that students are allowed to not attend religious instruction or to request a teacher to offer alternative instruction. However, there has been a lack of teachers in ‘Christian Religious Knowledge’ in many schools in the north, and there has been reports that Muslim students could not access ‘Islamic Religious Knowledge’ in public schools in Enugu and Edo States. There seems to be an underlying assumption that people in the country are either Christian or Muslim, and must receive religious instruction in one or the other religion.  
<[ncbuy.com/reference/country/humanrights.html?code=ni&sec=2c](http://ncbuy.com/reference/country/humanrights.html?code=ni&sec=2c)>

## Family, community and society

The introduction of criminal law aspects of Shari’a, the continued state use of resources to fund the mosque construction, education of Kadis (Muslim judges), pilgrimages to Mecca (Hajj), and religious instruction in schools, mean that Islam is often regarded, and is in effect, the de facto state religion of numerous northern states.

Some states had also used government funds to pay for Christian pilgrimages to Jerusalem. In general, states with a Christian or Muslim majority favour and give privileges to the majority faith, to the exclusion of religion or belief minorities.

## Sectarian divide

Muslims in some predominantly Christian states have complained about being denied permission to build mosques in predominantly Christian southern states. Christians in the predominantly Muslim northern states have claimed that local government officials used zoning laws to delay or prevent the establishment of new churches. Some have made claims that the enforcement of zoning laws was selective. Government officials have been commonly reported to have discriminated against people whose religious beliefs are different from their own, notably in hiring or contract awarding. Religious and ethnic discrimination also exist in private businesses’ hiring practices and purchasing patterns.

The deep entanglement of religion and state perpetuates parallel legal systems for different religious and ethnic groups and Sharia judgments’ arbitrary nature have raised questions concerning legislation. Whether politically, ethnically, and religiously fragmented Nigeria can survive official Sharia institutions’ internal contradictions remains uncertain.

<[evangelicalfellowship.ca/page.aspx?pid=684](http://evangelicalfellowship.ca/page.aspx?pid=684)>  
<[democracyweb.org/religion/nigeria.php](http://democracyweb.org/religion/nigeria.php)>  
<[ncbuy.com/reference/country/humanrights.html?code=ni&sec=2c](http://ncbuy.com/reference/country/humanrights.html?code=ni&sec=2c)>

## Boko Haram

The country has been afflicted in recent years by the terrorism of Boko Haram, with abductions, massacres and bomb blasts in Abuja. The abduction of around 200 school girls early in 2014 by Boko Haram prompted the sharing of the #BringBackOurGirls hashtag around the world, but most abductees from Chibok and other towns remain lost. The government and armed forces were accused of hesitation, inaction and incompetence in addressing the terrorist threat; and deaths and kidnappings number in the thousands. Sectarian tension was on the rise in 2014 and attacks continued in 2015. Boko Haram caused more deaths in terror attacks in 2014 than ISIS. A more concerted military response in 2015 and 2016 appears to have diminished Boko Haram’s strength.

## Freedom of expression, advocacy of humanist values

Nigeria has “one of the most vibrant and varied media landscapes in Africa” according to Freedom House, with press that are usually willing and able to criticise at least the most unpopular government policies, for example. However, there is sometimes interference by officials and regulators in response to critical coverage of sensitive policies such as

corruption and national security.

[freedomhouse.org/report/freedom-press/2016/nigeria](http://freedomhouse.org/report/freedom-press/2016/nigeria)

## Religious intimidation, violence and impunity

In January 2016, a Sharia court in Kano state (northern Nigeria) handed a death sentence for “blasphemy” to a Muslim cleric, Abdulazeez Dauda, an adherent of a local faction of the Tijaniya sect, founded in Senegal by Sheikh Ibrahim Niasse. In a secretive trial, Dauda was accused of saying that “Niasse was bigger than Prophet Muhammad”. Rumours of this “blasphemy” had earlier sparked violent protests in Kano city, and during the trial of Dauda’s followers there were clashes, and the court was set on fire. Dauda was sentenced to death in January; several of his followers had already been sentenced to death for the same “blasphemy” in 2015. The governor of Kano state welcomed the ruling as a “triumph of the rule of law”.

[bbc.co.uk/news/world-africa-35241608](http://bbc.co.uk/news/world-africa-35241608)

[globalvoices.org/2015/07/02/nigerians-are-shocked-by-the-kano-nine-death-sentence-for-blasphemy/](http://globalvoices.org/2015/07/02/nigerians-are-shocked-by-the-kano-nine-death-sentence-for-blasphemy/)

The same pattern of religious intimidation, violence, and impunity occurred again in 2016, on 2 June, with the murder of a female Christian market trader, again in Kano state. She was reportedly hacked to death by five Muslims who accused her of “blasphemy” against the prophet Mohammed. The Sharia court acquitted all five accused of the gruesome murder.

[conatusnews.com/why-is-there-no-justice-for-victims-of-blasphemy-killings-in-nigeria-.html](http://conatusnews.com/why-is-there-no-justice-for-victims-of-blasphemy-killings-in-nigeria-.html)

## Highlighted cases

In June 2014, **Mubarak Bala** was assessed as needing psychiatric help because he was “an atheist”, and held against his will at a psychiatric ward in Kano, northern Nigeria. His father, formerly a senior member of the Islamic religious authorities, had orchestrated Mubarak’s detention, after Mubarak had refused to keep quiet about his atheistic views on religion. Mubarak was – with some violence – bundled off to the psychiatric hospital by members of his own family. Told that he could not leave the hospital, Mubarak raised the alarm by social media, on a mobile he had managed to smuggle and keep hidden from the staff. He tweeted about his circumstances to friends and followers. IHEU worked with online activists and local humanists to verify the case, instruct a lawyer, and propel Mubarak’s cries for help into international media. His case then received media attention locally. Bala was freed after nearly three weeks, due to a strike at the hospital. Mubarak said that the domestic and international pressure helped to convince his family that he must be free to be, and express himself as, an atheist.

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

[bbc.co.uk/news/world-africa-28158813](http://bbc.co.uk/news/world-africa-28158813)

The **Nigerian Humanist Movement** has been denied registration as an organization for many years. Antagonists have linked the group to gay rights, presuming this to stand against its merits (and in reality it may well contribute to authorities’ refusal to progress a registration).

[gamji.com/article9000/news9553.htm](http://gamji.com/article9000/news9553.htm)

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

# Pakistan

Const/Govt

Edu/Child

Society/Comm

Expression

Pakistan is approximately 97% Muslim and the remaining 3% are Christian, Hindu, Buddhists or others. The country has suffered chronic sectarian violence against religious and non-religious minorities, with Shia Muslims subjected to the majority of the violence, and many extremely serious incidents against the Christian minority. For individual non-religious persons to speak out is uncommon, but those revealed or alleged to be non-religious tend to provoke swift condemnation.

The legal environment in Pakistan is notably repressive; it has brutal blasphemy laws, systemic and legislative religious discrimination and often allows vigilante violence on religious grounds to occur with impunity.

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression advocacy of humanist values

The non-religious are barred from holding government office

Religious instruction in a significant number of schools is of a coercive fundamentalist or extremist variety

There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious

'Blasphemy' or criticism of religion is outlawed and punishable by death

The non-religious are barred from some government offices (including posts reserved for particular religions or sects)  
State legislation is partly derived from religious law or by religious authorities

Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative

Systemic religious privilege results in significant social discrimination  
Prohibitive interreligious social control (including interreligious marriage bans)  
Religious control over family law or legislation on moral matters  
It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization

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

There is an established church or state religion  
There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups  
State-funding of religious institutions or salaries, or discriminatory tax exemptions

There is state funding of at least some religious schools  
Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)

Some concerns about political or media freedoms, not specific to the non-religious

## Constitution and government

The constitution establishes Islam as the state religion. Despite the constitution's promise of adequate provisions for minorities to practice their religious beliefs freely, many of Pakistan's laws and policies restrict freedom of religion or belief. The Muslim majority is afforded more protections than the non-religious or minority religious groups. The relatively common sectarian and religiously motivated violence against minorities and individuals in Pakistan often goes unpunished.

## Islam and a confused legal system

Pakistan's penal code encompasses a number of Islamic legal provisions. The judicial system encompasses several different court systems with overlapping and sometimes competing jurisdictions that reflect differences in civil, criminal, and Islamic jurisprudence. For certain criminal convictions under the Hudood Ordinances, including those for rape, extramarital sex, alcohol, and gambling, the Sharia bench of the Supreme Court and the FSC serve as appellate courts. The FSC has the power to review, of its own accord, cases in lower courts that relate to Hudood laws and apply to Muslims and non-Muslims.

## Anti-secular government

Government funding is available for Islamic clergy and the building and maintenance of mosques. This funding comes from a 2.5% tithe the state levies on all Sunni Muslims. The funds are re-distributed amongst Sunni mosques, madrasahs, and charities. No other religious or non-religious groups are tithed.

It is a constitutional requirement that the president and prime minister be Muslim. All senior officials, including members of parliament, must swear an oath to protect the country's Islamic identity.

For lawmakers and others to critically discuss the Islamist nature of the law, such as suggesting reform of blasphemy laws (see below) or any broader secular reforms, exposes the critic to potential assassination.

[aeon.co/essays/pakistan-s-political-islamists-tried-to-kill-me](http://aeon.co/essays/pakistan-s-political-islamists-tried-to-kill-me)

## Education and children's rights

In some places, schools, teachers and students – girls in particular – have frequently been subject to violence and terrorism by the Taliban and other extremist groups. Many children are unable to attend schools, many schools are run down, and the *madrasa*, which in some areas provide the only available education, are notorious for teaching revisionist history and hatred of non-Islamic religions and people.

## Hate on the curriculum

In state-run schools, Islamic studies are compulsory for all Muslim students. Whilst non-Muslims are not required by law to take Islamic studies, and are offered ethical studies as an alternative in some schools, in practice no alternative to Islamic studies is usually available and by consequence many non-Muslims are required to take Islamic studies.

A report by International Crisis Group (ICG) in 2014 found that Pakistan's education system is in crisis. Among various problems including millions of children out of school, the report found that education tended to promote a nationalist worldview excluding minority views and beliefs, and that the madrasa sector flourishes, often as a direct response to poor state provision. Madrasa schools are only nominally regulated, and many of these seminary-type schools propagate "religious extremism and sectarian violence". The report found that: "the state will have to do far more than just increase the numbers of schools and teachers. Curriculum reform is essential and overdue. Provincial governments must ensure that textbooks and teachers no longer convey an intolerant religious discourse and a distorted narrative, based on hatred of imagined enemies, local and foreign."

[crisisgroup.org/asia/south-asia/pakistan/education-reform-pakistan](http://crisisgroup.org/asia/south-asia/pakistan/education-reform-pakistan)

Both the National Commission for Justice and Peace, and the United States Commission on International Religious Freedom, have reported the existence of textbooks, educational content and teaching that sought to devalue religious minorities in "an alarming number of schools". In August 2013, the Khyber Pakhtunkhwa education minister said they would return Quranic passages about jihad to the curriculum.

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

## Forced "conversions"

Forced "conversion" to Islam is a serious problem faced by some minorities in the country, usually targeting young women and girls as a way of forcibly marrying them into Muslim families.

[bbc.co.uk/news/world-asia-29008267](http://bbc.co.uk/news/world-asia-29008267)

On 24 November 2016, the Sindh province assembly enacted the Sindh Criminal Law (Protection of Minorities) Bill, 2015, proposed by a Hindu minority MP, Mr Nand Kumar Goklani, in 2015. This is Pakistan's first law criminalizing forced conversion, under which perpetrators face a prison term of up to five years.

[pakistanchristianpost.com/detail.php?hnewsid=6198](http://pakistanchristianpost.com/detail.php?hnewsid=6198)

# Family, community and society

## No such thing as “No Religion” in personal identity or family life

The government designates religious affiliation on identity documents such as passports and in national identity card applications. Applicants must state their religion when applying for a passport. “No Religion” is not accepted as an answer.

Neither civil nor common law marriage are recognised in Pakistan, and religion predominates over family life and law in a variety of extremely prejudicial ways, including:

Marriages are registered according to one’s religious identity (although there is no legal recognition of the non-religious, and no mechanism for the government to register marriages of e.g. Hindus and Sikhs).

The marriages of non-Muslim men remain legal upon conversion to Islam. However, if a non-Muslim woman converts to Islam and her marriage was performed according to her previous religious beliefs, the marriage is considered dissolved.

Children born to non-Muslim women who convert to Islam after marriage are considered illegitimate.

The children of a Muslim man and a Muslim woman who both convert from Islam are considered illegitimate, and the government has the power to take custody of them.

## Freedom of expression, advocacy of humanist values

The right to freedom of expression, including media freedom, is frequently violated in Pakistan.

### Establishing “blasphemy” laws

Chapter XV of Pakistan’s Penal Code contains a number of sections that institute blasphemy and religious defamation laws: Article 295-A outlaws “deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs”; Article 295-B outlaws the defaming of the Quran; Article 295-C bans the use of insulting remarks about the Prophet; Article 298 prohibits people from saying anything that had the deliberate intent to wound religious feelings; and article 298-B punishes any misuse of epithets, descriptions, or titles reserved for certain holy personages or places.

The blasphemy laws are further bolstered by the Anti-Terrorism Act, which states that any action, including speech, intended to incite religious hatred is punishable by up to seven years’ imprisonment. Whilst applicable nationwide, the country’s blasphemy laws are used predominantly in the Punjab province.

Blasphemy laws carry the death penalty or life in prison, and tend to target non-believers, religious minorities and dissenting Muslims. Though there has been an effective moratorium on carrying out the death sentence in recent years, dozens of people at least remain on death row, and furthermore those accused of blasphemy are often murdered before or after any trial takes place (see below).

Notably, for a charge of blasphemy to be made in Pakistan an allegation is all that is required – and it may be highly subjective, since the law does not provide clear guidance on what constitutes a violation. Proof of intent or evidence against the alleged is not necessary and there are no penalties for making false allegations.

### The real victims of “blasphemy” laws: those who are accused

Most blasphemy cases are either brought by those wishing to undermine minority groups or by those wishing to eliminate individuals against whom they have a grudge. The mere accusation of blasphemy against someone can result in the accused’s life being endangered.

Mullahs will often come to court to intimidate the judiciary, and obtaining a lawyer to ensure a fair trial is often impossible.

Those accused of blasphemy, and who have been acquitted by the courts, most often either flee Pakistan or are assassinated on their release from jail. Clerics and radicals have been found to have brought forward cases of blasphemy after fabricating evidence and facts.

Blasphemy laws are also used specifically against the minority Ahmadi community. Pakistan’s Penal Code 298 contains anti-Ahmadiyya blasphemy legislation. Whilst Ahmadis have the Quran as their holy book, they can be punished with up to three years in prison by just referring to their faith as Islam. At the end of 2013, a 72-year-old doctor and member of the Ahmadiyya community, Masood Ahmad, was imprisoned for ‘posing as a Muslim’ and heresy after being secretly

filmed reading from the Koran at his surgery. In May 2014, A Pakistani mob killed an Ahmadi woman member two of her granddaughters after an Ahmadi was accused of posting blasphemous material on Facebook.

According to the National Commission for Justice and Peace, the authorities prosecuted a total of 1,170 blasphemy cases between 1987 and 2012, with scores of new cases being brought every year. In 2013, dozens of people were charged with blasphemy. At least 16 people remained on death row for blasphemy, while another 20 were serving life sentences at the end of 2013.

## **“Blasphemy” law: some individual victims**

Perhaps the most famous cases of those killed extrajudicially are Salman Taseer and Shahbaz Bhatti. The then-governor of Punjab state, Salman Taseer, was gunned down by his own bodyguard, Mumtaz Qadri, in broad daylight at Islamabad's Kohsar Market on 4 January 4 2011. Qadri said he killed Taseer over what he called the politician's vocal opposition to blasphemy laws of the country. Two weeks after Taseer was killed, the only Christian minister in the federal cabinet, Shahbaz Bhatti, was gunned down in Islamabad. He too was a critic of the blasphemy laws.

The politicians are only the most high profile of numerous other cases in which individuals are either locked up for many years awaiting various long-drawn out stages of the trial process, or are hurt or killed extrajudicially. The victims frequently include children, minorities, and other vulnerable people.

Human rights activists and politicians in Pakistan banded together to successfully secure the release of a jailed 9-year-old Christian boy and his mother, who could have faced the death penalty after they were accused of burning the Quran. According to the London-based charity British Pakistani Christian Association, 9-year-old Izhan was at school in the town of Quetta on Oct. 20 when he was accused of burning a copy of Islam's holy book.

[<christianpost.com/news/9-year-old-christian-boy-accused-burning-quran-tortured-four-days-police-finally-released-from-jail-171150/>](http://christianpost.com/news/9-year-old-christian-boy-accused-burning-quran-tortured-four-days-police-finally-released-from-jail-171150/)

In September 2016, Nabeel Chohan, a 16-year-old Christian boy in Pakistan 'Liked' an "inappropriate" photograph on Facebook of the Kaaba in Mecca, one of the holiest sites in Islam. He was arrested on blasphemy charges and is awaiting trial. A police official, told the AFP news agency the informant had lodged a complaint over "hurting religious sentiments of Muslims and desecrating the religious place".

[<al-monitor.com/pulse/afp/2016/09/pakistan-religion-blasphemy.html>](http://al-monitor.com/pulse/afp/2016/09/pakistan-religion-blasphemy.html)

In July 2016 a Hindu named Amar Lal was arrested on "blasphemy" charges, accused of "desecrating" the Quran. Police claims Amar is suffering from psychotic disorder.

[<christiansinpakistan.com/ghotki-a-hindu-booked-over-blasphemy-accusations-local-hindu-community-fearful-of-reprisal/>](http://christiansinpakistan.com/ghotki-a-hindu-booked-over-blasphemy-accusations-local-hindu-community-fearful-of-reprisal/)

On 12 July 2016, police said they were searching for a Christian man, Nadeem Masihm, facing blasphemy charges after a Muslim friend accused him of insulting Islam in a poem. Masihm is alleged to have sent his friend the controversial poem on WhatsApp. The incident occurred in the town of Sara-e-Alamghir in Punjab province. Police said they were having to guard a local church to avoid any violence following the incident.

[<ndtv.com/world-news/pakistani-police-on-the-hunt-for-christian-charged-over-poem-1430510>](http://ndtv.com/world-news/pakistani-police-on-the-hunt-for-christian-charged-over-poem-1430510/)

On 3 June 2016, it was reported that Pakistan's national TV regulator banned two TV hosts after a discussion about blasphemy and the status of a religious minority sparked controversy. The Pakistan Electronic Media Regulatory Authority said it banned Hamza Ali Abbasi, one of the country's biggest TV stars, and Shabbir Abu Talib from hosting their Ramadan-themed shows after receiving over a thousand complaints. Mr. Abbasi asked Islamic scholars during the broadcast on the channel Aaj TV if the state had the right to declare a group of people infidels or non-Muslims. He referred specifically to the Ahmadiyya Muslim community, widely regarded as blasphemers and as non-Muslims.

[<blogs.wsj.com/indiarealtime/2016/06/21/pakistan-tv-hosts-banned-after-blasphemy-discussion/>](http://blogs.wsj.com/indiarealtime/2016/06/21/pakistan-tv-hosts-banned-after-blasphemy-discussion/)

In January 2016, a 15-year-old boy, Mohammad Anwar, cut off his own hand after being told he was a blasphemer by a local cleric. The boy had raised his hand when the imam asked if anyone did not believe in the prophet, which reportedly the boy misheard. The imam accused him of "blasphemy" in front of the whole congregation, to which the boy responded by going home and cutting off his own hand, before delivering it to the imam on a plate, presumably as a sign of his own contrition for the "blasphemy". The boy's self-mutilation was welcomed locally and praised by his own parents.

[<independent.co.uk/news/world/asia/pakistani-teenage-boy-cuts-off-own-hand-after-imam-accused-him-of-blasphemy-a6820846.html>](http://independent.co.uk/news/world/asia/pakistani-teenage-boy-cuts-off-own-hand-after-imam-accused-him-of-blasphemy-a6820846.html)

Shafqat Emmanuel and Shagufta Kausar, from Gojra, Pakistan, were found guilty in January 2016 of allegedly sending a text message which 'blasphemed' against the Prophet Mohammed to their local imam, in 2013. The Christian couple sentenced to death over the 'blasphemous' texts, despite being illiterate. Their lawyer said the imam was motivated by a personal grudge, and that the SIM card presented in court was bogus. The couple claim they were tortured into confessing to the crime.

[<telegraph.co.uk/news/worldnews/asia/pakistan/10751110/Christians-in-Pakistan-sentenced-to-death-over-a-text.html>](http://telegraph.co.uk/news/worldnews/asia/pakistan/10751110/Christians-in-Pakistan-sentenced-to-death-over-a-text.html)

In November 2014 a married Christian couple, Sajjad Maseeh (or Shehzad Maish), 27, and Shama Bibi (or Samah), 24, who was pregnant, were attacked by a mob of around 1,200 people after rumors that they had burned verses from the

Quran. After their legs were broken to prevent them running, they were set alight and thrown in a kiln. As is often the case, the origin of the rumours have subsequently been linked to an interpersonal conflict, in this case, "revenge for unpaid bills". The viscerally shocking nature of this case has reverberated through the 'blasphemy' law debate in Pakistan, prompting more than usual pressure on police to convict members of the mob who killed them. In November 2016 five of the killers were sentenced to death. An editorial in *The Nation* broadly welcomed the death sentences for the killers, adding: "Avenging Samah and Shehzad Maish isn't enough, we must prevent future deaths. The root cause of the problem, the blasphemy laws, are still in place in their nefarious form, as is a politico-religious complex designed to protect them."

[christianitytoday.com/gleanings/2014/november/into-fiery-furnace-christians-pakistan-burned-blasphemy.html](http://christianitytoday.com/gleanings/2014/november/into-fiery-furnace-christians-pakistan-burned-blasphemy.html)  
<[nation.com.pk/editorials/25-Nov-2016/a-measure-of-atonement](http://nation.com.pk/editorials/25-Nov-2016/a-measure-of-atonement)>

In March 2014, a Christian man from Lahore, Sawan Masih, was convicted of making derogatory remarks against the Prophet Muhammad in a row with a Muslim friend. After the allegations surfaced, hundreds of Muslims attacked the Lahore's Christian Joseph colony, torching homes. His trial was held in jail due to fears for his safety. Masih was sentenced to death. He argues that the real reason for the blasphemy allegation was a property dispute between him and his friend.

In 2013, a girl from a Christian family, Rimsha Masih, spent several weeks in an adult jail (her family said she was 11 years old) after being accused of 'blasphemy' by a local Muslim cleric. Following significant national condemnation by Pakistan's standards, and international concern, the charges were dropped. Rimsha and members of her family were eventually given refuge in Canada. The cleric, Hafiz Mohammed Khalid Chishti, who had first given police the burned papers as evidence against her, was arrested 1 September 2013, accused by members of his own congregation of desecrating these pages of the Quran himself in order to provoke violence against the local Christian population, a motivation which was in line with some of his previous rhetoric. However, the charges against Khalid Chishti were dropped when witnesses withdrew their accusations against him.

<[telegraph.co.uk/news/worldnews/asia/pakistan/9530596/Rimsha-Masih-Christian-girl-arrested-for-blasphemy-released-from-Pakistan-prison.html](http://telegraph.co.uk/news/worldnews/asia/pakistan/9530596/Rimsha-Masih-Christian-girl-arrested-for-blasphemy-released-from-Pakistan-prison.html)>  
<[theguardian.com/world/2013/jul/01/pakistan-girl-accused-blasphemy-canada](http://theguardian.com/world/2013/jul/01/pakistan-girl-accused-blasphemy-canada)>  
<[bbc.co.uk/news/world-asia-23739778](http://bbc.co.uk/news/world-asia-23739778)>

Muhammad Asghar, a British businessman who returned to live in Pakistan in 2010 was arrested for blasphemy and sentenced to death after he wrote letters claiming he was a prophet. Asghar has a history of mental illness, including a diagnosis of paranoid schizophrenia. In September 2014, he was shot in the back by a prison guard. There are fears for his personal safety in prison.

## **"Blasphemy" online**

From 2010 onward, the government has been aggressive in its blocking of online "blasphemous" content. For example, perceived blasphemous content on Youtube is blocked by the Pakistani government, and the social-networking site Twitter has also been subject to blocking, as well as complicit in the censoring of material on its platform. In May 2012, Twitter was blocked briefly, and again in September that year. In May 2014, the Pakistan Telecommunication Authority requested the removal of some material, much of which mocked Islam and other religions, claiming that it was "blasphemous," "unethical" and violated Pakistan's Penal Code. Twitter used its Country Withheld Content tool, which blocks content in a particular nation, to comply and block several dozen Twitter accounts. After international protest, including by the IHEU, in June Twitter restored access to tweets and the accounts it had blocked.

<[iheu.org/twittertheocracy-campaign-after-social-network-blocks-blasphemy-in-pakistan/](http://iheu.org/twittertheocracy-campaign-after-social-network-blocks-blasphemy-in-pakistan/)>

## **Signs of change, for better or worse**

In September 2013, the Council of Islamic Ideology recommended against amending the blasphemy laws to add procedural safeguards, noting situations of misuse or fraud could be penalized through other sections of the Penal Code. In December, the Federal Shariat Court (FSC) stated that the death penalty is the sole appropriate punishment for blasphemy and recommended the removal of life imprisonment as an option when sentencing. The government considered this recommendation, but those found guilty of 'blasphemy' seem to enter a permanent holding situation on death row, under a de facto moratorium.

In a rare call for reform by senior authorities, in November 2014 the Lahore High Court released comments on the Asia Bibi case, saying that in their judgement on the case (16th October) they had had no choice but to uphold the earlier death sentence, but called on the government to change the law to implement higher standards of evidence in such cases.

<[worldwatchmonitor.org/2014/11/article\\_3483230.html](http://worldwatchmonitor.org/2014/11/article_3483230.html)>

In addition a spate of high-profile blasphemy prosecutions (including Asia Bibi and Muhammad Asghar) as well as extrajudicial killings (including Sajjad Maseeh and Shama Bibi) in the second half of 2014, may have spurred some clerics and political leaders to relatively outspoken criticism of the "misuse" of such laws.

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

In 2015 some "blasphemy" accused were granted pre-trial bail, and there was political discussion of reviewing the sentences of some long-standing "blasphemy" cases, with individuals in prison facing years-long waits for hearings.

In October 2015, the Supreme Court told the killer of Salman Taseer, his own security guard Mumtaz Qadri, that it was not a legitimate defence of murder that he was enforcing the Islamic norm against “blasphemy” by carrying out the assassination, and that criticising “blasphemy” laws could not itself be construed as “blasphemy”. While a previous judgement had overturned Mumtaz Qadri’s death sentence, the Supreme Court restored the conviction for terrorism on 7 October 2015. The IHEU commented that when the death sentence had earlier been quashed, “We were therefore able to give a qualified welcome for what was a “muddled, but realistic best imitation of justice” available. Today, however, the Supreme Court has upheld the earlier terrorism conviction and thus restored the death sentence. As we said in March [2015], not only are we against capital punishment on principle, the risk here is also that this killer — already regarded as a hero by anti-“blasphemy” zealots — will be elevated to full martyr status.” When Mumtaz Qadri was hanged to death on 29 February 2016 the execution sparked street protests and the police were put on high alert; media was instructed not to dwell on the hanging, presumably for fear of fueling disorder among those who regard Mumtaz Qadri as a hero.

[<iheu.org/statement-on-terrorism-conviction-against-mumtaz-qadri/>](http://iheu.org/statement-on-terrorism-conviction-against-mumtaz-qadri/)

[<dawn.com/news/1242637>](http://dawn.com/news/1242637)

[<theguardian.com/world/2016/feb/29/pakistan-hangs-mumtaz-qadri-who-killed-blasphemy-law-governor>](http://theguardian.com/world/2016/feb/29/pakistan-hangs-mumtaz-qadri-who-killed-blasphemy-law-governor)

In September 2016, all 46 people accused of attacking a church and the house of Christians in a neighborhood near Lahore’s Sanda police station were cleared. Reports suggest that the mob had attacked the Christian neighborhood after accusing one of the residents of blasphemy. The judge said that as well as police procedural failings, members of the Christian community had not come to court to complain; but advocate Nadim Anthony, a council member of the Human Rights Commission of Pakistan, said: “How a Christian can appear before Court when he has no protection? Christians and Ahmadis are the most vulnerable segments in our society and avoid recording statements against Muslims because they fear backlash.”

[<deccanchronicle.com/world/neighbours/030916/pakistan-court-clears-all-accused-in-church-attack-case.html>](http://deccanchronicle.com/world/neighbours/030916/pakistan-court-clears-all-accused-in-church-attack-case.html)

## Apostasy

Pakistan has no specific statutory law that criminalizes apostasy. A 2007 proposed parliamentary bill, which sought to punish male apostates with the death penalty and female apostates with life imprisonment, failed to pass. Nevertheless, some have suggested that the principle that “a lacuna in the statute law was to be filled with reference to Islamic law” could potentially apply to the crime of apostasy.

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

## Freedom of the press

Despite all the restrictions on free expression, Pakistan’s media is diverse and varied. This notwithstanding, blasphemy laws and other laws are used by the state to justify censorship. Pakistan is also one of the world’s most dangerous places for journalists. They are targeted by non-state actors such as terrorists and criminals, as well as by political, military, and intelligence operatives. In 2016, the International Federation of Journalists reports in 2016 that 102 journalists have been killed in the country since 2005. Impunity in cases concerning murdered journalists remains the norm.

[<ifj.org/campaigns/end-impunity-2016/end-impunity-2016-pakistan/>](http://ifj.org/campaigns/end-impunity-2016/end-impunity-2016-pakistan/)

## Highlighted cases

In October 2016, police reportedly registered a case under Section 295-A PPC against a man named only as **Aslam** alias **Saeen Achhu**. Aslam is accused of denying “Allah, all the prophets including Holy Prophet Hazrat Muhammad (PBUH), all the holy books, angels and the prayers, fast, Zakat and Haj.” A petitioner is cited as providing recordings of “blasphemous” conversation with Aslam. (As of November 2016 there is very limited information available on this case.)

[<nation.com.pk/national/15-Oct-2016/gcci-scci-stress-joint-efforts-to-boost-exports>](http://nation.com.pk/national/15-Oct-2016/gcci-scci-stress-joint-efforts-to-boost-exports)

**Fauzia Ilyas** is the founder of the Atheist & Agnostic Alliance Pakistan (AAP), which claims over 3,000 supporters. With strict “blasphemy” and apostasy laws, the very existence of the AAP appears to have been taken as *prima facie* evidence of a crime. Custody of Fauzia’s daughter was granted to her ex-husband, a devout Muslim, apparently on the basis of Fauzia having left Islam. In 2015 a Lahore court initiated criminal proceedings against Fauzia and issued an arrest warrant. Fauzia has fled to Netherlands where she is currently seeking asylum, along with her colleague and current husband, **A. Gilani**, a spokesperson for AAP.

In 2013, **Junaid Hafeez**, a visiting lecturer of English in Bahauddin Zakaria University (in Multan, the Punjab province), was arrested and jailed on blasphemy charges after a student affiliated with Islami Jamiat Talaba, accused Hafeez of insulting the Prophet Muhammad on Facebook. There was no evidence for this allegation. Hafeez remains in jail.

**Rashid Rehman**, a lawyer who agreed to defend Junaid Hafeez, has since been murdered. Rehman was special coordinator for the Human Rights Commission of Pakistan in Multan. The Hafeez trial had been conducted in jail because of the threat to his life, and Rehman himself received death threats for representing Hafeez and he reported them to the Multan Bar Association, however no measures were taken to provide him with security. His colleagues at the human rights commission also urged the government to provide him with security. In May 2014, two men walked

into Rehman's offices and shot him dead. They have not been caught and activists complain of the government seeking to bury the case.

# Philippines

Const/Govt    Edu/Child    Society/Comm    Expression



The Philippines is an archipelago of which 7 islands host the majority of the 100 million population, the second largest population of countries in the ASEAN (Association of Southeast Asian Nations). Spanish and US influences remain strong, especially in terms of religion (mainly Roman Catholic) and government. Nominally Roman Catholics are a significant majority religion (80%), with Islam as a minority religion (10%). The Philippines has a number of active human rights and non-religious groups.

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression  
advocacy of humanist values

<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p>	<p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
<p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>	<p>Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear</p>	<p>Some concerns about political or media freedoms, not specific to the non-religious</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

## Constitution and government

The constitution and other laws and policies generally protect religious freedom. There is no state religion, as such, and the constitution provides for the separation of church and state. In practice, however, both Roman Catholic and Islamic religions have close associations with government.

## Catholic privilege and pressure

Governments have generally avoided taking strong measures to curb the birth rate for fear of antagonising the Catholic Church. In 2013, several dioceses publicly opposed the reelection of specific senators and House members who voted in support of the 2012 Responsible Parenthood and Reproductive Health Act (RH Law), which provided for free contraceptives at government health clinics. A measure of the government's sensitivity to the Catholic Church was the use of an obscure article of the penal code which criminalises acts that "offend religious feelings." The law was used for the first time in January 2013 to convict Carlos Celdran for protesting against the Catholic Church's opposition to the RH Law during a religious ceremony in 2010. While he faced a sentence of up to 13 months in jail, he remained free on bail pending appeal.

## Muslim privilege

Driven in large measure by secessionist violence based on perceived discrimination against Muslims (in two Southern Islands), the government has also given Muslim interests a preferential relationship with government. The National Commission on Muslim Filipinos (NCMF), a part of the Office of the President, promotes the rights of Muslims at both the national and local levels and supports economic, educational, cultural, and infrastructure programs for Muslim communities. NCMF's Bureau of Pilgrimage and Endowment administers logistics for the Hajj. It also administers *awqaf*, an endowment for the upkeep of Islamic properties and institutions, and oversees establishment and maintenance of Islamic centres and other projects. The Office of the Presidential Assistant for Muslim Concerns helps coordinate relations with countries that have large Islamic populations and contributes to economic development and the peace process.

The Code of Muslim Personal Laws recognizes Sharia as part of national law; it does not apply in criminal matters and applies only to Muslims. The state court hears cases involving Muslim and non-Muslim respondents, and national laws apply.

## Education and children's rights

The government permits religious instruction in public schools with written parental consent provided there is no cost to the government. Based on a traditional policy of promoting moral education, local public schools give religious groups the opportunity to teach moral values during school hours. Attendance is not mandatory and the various groups share classroom space. The government also allows groups to distribute religious literature in public schools. By law, public schools must ensure the religious rights of students are protected. Muslim students may wear the hijab.

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

## Family, community and society

### The RH Law

Culturally dominated by Catholicism, the Philippines is the only country in the world, other than the Holy See, to ban divorce. Legal during the American colonial period and the Japanese occupation at the beginning of the 20th Century, the 1949 Civil Code prohibited divorce.

The Catholic Church have fiercely opposed the Reproductive Health Bill, arguing that the law's implementation will undermine marriage and promote promiscuity. Following several challenges in court by conservative Catholic groups, the RH law was initially halted by the Supreme Court from going into effect. Fourteen petitions questioning the constitutionality of the law on the grounds that it violated a range of rights, including freedom of religion and speech, were consolidated for oral arguments that began on July 9, 2013 and continued through August 2013.

However, in April 2014, The Supreme Court of the Philippines unanimously approved the groundbreaking Responsible Parenthood and Reproductive Health Act of 2012, the RH Law, which requires government health centres to provide access to family planning and reproductive health services including recognizing a woman's right to post-abortion care, and mandates reproductive health education in government schools. The UN recognises this move towards meeting the Millennium Development Goal to reduce maternal mortality.

Nancy Northup, president and CEO at the Center for Reproductive Rights has said that "with universal and free access to modern contraception, millions of Filipino women will finally be able to regain control of their fertility, health, and lives...The Reproductive Health Law is a historic step forward for all women in the Philippines, empowering them to make their own decisions about their health and families and participate more fully and equally in their society."

The Supreme Court struck down a number of provisions in the RH Law including the requirement for spousal consent for women in non life-threatening circumstances, parental consent for minors seeking medical attention who have been pregnant or had a miscarriage, and health care providers will have the right to deny reproductive health services to patients based on their own personal or religious beliefs in non-emergency situations.

The Filipino government's long-standing hostility towards modern contraception has contributed to 4,500 women dying from pregnancy complications, 800,000 unintended births and 475,000 illegal abortions each year.

[<jurist.org/paperchase/2014/04/philippines-supreme-court-approves-reproductive-health-law.php>](http://jurist.org/paperchase/2014/04/philippines-supreme-court-approves-reproductive-health-law.php)

[<www.reproductiverights.org/press-room/Philippine-Supreme-Court-Upholds-Historic-Reproductive-Health-Law%20>](http://www.reproductiverights.org/press-room/Philippine-Supreme-Court-Upholds-Historic-Reproductive-Health-Law%20)

## Freedom of expression, advocacy of humanist values

The Roman Catholic Church in the Philippines has historically played a significant role in politics. A law against "offending religious feelings" has recently been activated against a critic of Catholic Church policies.

Section 4 of the revised penal code (largely unchanged since 1930) covers "Crimes against religious worship", including a ban on "interruption of religious worship" (article 132) and more pertinently, "offending the religious feelings" (article 133):

*"Offending the religious feelings. – The penalty of arresto mayor [suspension of suffrage] in its maximum period to prision correctional in its minimum period [from 6 months 1 day, up to 2 years 4 months] shall be imposed upon anyone who, in a place devoted to religious worship or during the celebration of any religious ceremony shall perform acts notoriously offensive to the feelings of the faithful."*

## Broader human rights issues

The Philippines, under previous presidents, has been notably corrupt and critics and opponents have been subject to increasing levels of human rights abuses. Press freedom is guaranteed under the constitution, but violence against media workers has been a serious problem.

The government came under fire in late 2012 over a new cybercrime law which aims to prevent cybersex, online child pornography, identity theft and spamming. It also provides for prosecution for online libel and gives officials new powers to search and seize data from people's online accounts.

There are some signs that these restrictions are being addressed. Amnesty International recently reported the arrest of a General accused of abductions and torture in the Philippines as an encouraging sign that the authorities are finally tackling a culture of impunity for serious human rights violations by the security forces.

[<www.refworld.org/docid/53edb3684.html>](http://www.refworld.org/docid/53edb3684.html)

The Organization of Islamic Cooperation (OIC) recognize the Moro National Liberation Front, which was designated in a United Nations Security Report as one of the groups around the world that recruit and use children.

[<daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/311/28/PDF/N1031128.pdf>](http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/311/28/PDF/N1031128.pdf)

## Highlighted cases

In 2012 the crime of "offending religious feelings" was used to convict **Carlos Celdran** for protesting the Catholic Church's opposition to the Reproductive Health Law. Carlos Celdran is a performing artist and cultural activist promoting HIV/AIDS awareness and reproductive health. In 2010 Carlos entered Manila Cathedral during mass to stage a protest action against Church opposition to the reproductive health bill. Carlos dressed as José Rizal carrying a sign and shouting "stop getting involved in politics!" He was escorted out by police and later charged by the Catholic Bishops Conference of the Philippines for "offending religious feelings". In Dec 2014, the Court of Appeals upheld the conviction. Carlos intends to appeal to the Supreme Court.

## Testimonies

*"It saddens me to hear this decision upholding my conviction for 'offending religious feelings.' I'm sad not only for my case in particular, but for the Philippines as well. This conviction is just a symptom of a larger disease,"*

*"There is a bigger picture of corruption and patronage in the Philippine justice system. We need to address these issues if ever we are to move forward as a people."*

— Carlos Celdran

# Saudi Arabia

Const/Govt	Edu/Child	Society/Comm	Expression

The Kingdom of Saudi Arabia is an Islamic state governed by an absolute monarchy in tandem with a powerful religious elite. The Saudi government has sought to make improvements in terms of respecting civil liberties including freedom of religion or belief in recent years; however most improvements are minimal, and a highly restrictive regime persists, wherein most forms of public religious expression must be consistent with the government's particular brand of Sunni Islam. Saudi Arabia is a member of the League of Arab States (LAS), the Organization of Islamic Cooperation (OIC), and the Gulf Cooperation Council (GCC).

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>Quasi-divine veneration of a ruling elite is enforced, subject to severe punishment</p>	<p>Religious indoctrination is utterly pervasive in schools</p> <p>Religious instruction in a significant number of schools is of a coercive fundamentalist or extremist variety</p>	<p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>'Blasphemy' or criticism of religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	
<p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>			

## Constitution and government

The monarchy of the house of Al Saud holds supreme political authority, existing by formal arrangement in tandem with a highly influential clerical bloc (the *Ulema*) lead by the house of Al ash-Sheikh.

This monarchical-religious symbiosis was forged under an oath sworn by both families dating back to 1744, to this day considered the founding basis of the "pact" between both houses. The pact commits the house of Al Saud to "perform jihad against the unbelievers", while "in return", Muhammad ibn Abd al-Wahhab (the founder of Wahhabism) would be

"leader in religious matters" in perpetuity.  
<[goo.gl/UF0liF](http://goo.gl/UF0liF)> [A History of Saudi Arabia, Madawi al-Rasheed]

There is no freedom of religion or belief in Saudi Arabia. Wahhabism – commonly described as an “ultra conservative” or “fundamentalist” branch of Sunni Islam – is functionally recognized as the state religion. According to Article 1 of the Basic Law of Saudi Arabia (its equivalent to a constitution), “The Kingdom of Saudi Arabia is a sovereign Arab Islamic state with Islam as its religion; God’s Book and the Sunnah of His Prophet (God’s prayers and peace be upon him) are its constitution.” The country’s laws are based on Sharia law.

With a population of 29 million, the Kingdom is one of 12 countries given “the worst-possible rating of 7 for both political rights and civil liberties” by Freedom House (2015).  
<[freedomhouse.org/report/freedom-world/2015/saudi-arabia](http://freedomhouse.org/report/freedom-world/2015/saudi-arabia)>

Saudi Arabia is routinely and severely criticised by many human rights organizations internationally, including for the poor treatment of migrant workers, massive religious and political suppression of freedom of thought, expression, and association, and especially women’s rights, as well as maintaining an unfair and unpredictable justice system that is often utilized to punitively suppress human rights advocacy and to crush any sign of political dissent.

In a government reshuffle under new King Salman in 2015, the head of the *Mutaween* (religious police), Sheikh Abdul Latif al-Sheikh, considered to be somewhat sympathetic to women’s rights, was replaced by Abdulrahman al-Sanad, who was previously sacked by King Abdullah on grounds of his criticism of intermingling young men and women in co-ed universities. King Salman also appointed as his personal adviser the controversial cleric Saad al-Shethri, known as a hardliner against Christians, Jews, and Shiites. The female Deputy Minister for Education was also removed (see “Education and children’s rights”, below) with no new women being appointed. The reshuffle appears to suggest no lessening intolerance against atheism or apostasy in general either, but rather an enhancement of the influence of the Wahhabi community.  
<[middleeasteye.net/news/new-saudi-king-orders-cabinet-reshuffle-280880866](http://middleeasteye.net/news/new-saudi-king-orders-cabinet-reshuffle-280880866)>  
<[ansamed.info/ansamed/en/news/sections/politics/2015/03/03/saudi-arabia-education-minister-says-no-to-sports-for-girls\\_1dcbf24c-8f27-4270-9e8f-01c56c158cae.html](http://ansamed.info/ansamed/en/news/sections/politics/2015/03/03/saudi-arabia-education-minister-says-no-to-sports-for-girls_1dcbf24c-8f27-4270-9e8f-01c56c158cae.html)>

## A major player on the world stage

Despite these human rights failings, Saudi Arabia nevertheless retains a high Human Development Index, largely thanks to its massive oil export industry, and a sizeable population of expatriate workers. The population includes 2.5 million Bangladeshis who migrated in the main after the war for independence, in which Saudi provided significant support against the Bengali nationalist call for independence.

Saudi Arabia has luke-warm, rocky or outright hostile relations with a number of other Middle Eastern countries, in particular with Iran.

Outside the region, its close political allies and major trading partners (often themselves highly dependent on Saudi oil exports) include: China, India, Indonesia, Japan, Pakistan, Singapore, South Korea (with Asia importing 66% of total Saudi oil exports); Canada and the United States (with North America importing 17% of total Saudi oil exports); Belgium, France, Italy, Netherlands, Spain, and United Kingdom (with Europe importing 12% of total Saudi oil exports) (as of 2013 figures).  
<[atlas.media.mit.edu/en/profile/country/sau/](http://atlas.media.mit.edu/en/profile/country/sau/)>

Early 2015 The Kingdom of Saudi Arabia along with the GCC countries (except Oman) went to war with Yemen. The air campaign has been widely accused of indiscriminate bombing with significant civilian casualties. In September 2015, the Saudi coalition struck a wedding party killing 135 people and many more incidents of bombing in densely populated areas causing numerous casualties are widely regarded as probable war crimes.  
<[aljazeera.com/news/2015/10/yemen-151007015252750.html](http://aljazeera.com/news/2015/10/yemen-151007015252750.html)>  
<[foreignpolicy.com/2015/10/15/u-s-support-for-saudi-strikes-in-yemen-raises-war-crime-concerns/](http://foreignpolicy.com/2015/10/15/u-s-support-for-saudi-strikes-in-yemen-raises-war-crime-concerns/)>

The Saudi coalition is accused of obstructing humanitarian aid i.e. blocking supplies coming in from the Persian Gulf sending Yemen to the brink of famine. Amnesty International testifies to the use of cluster bombs. The conflict falls along sectarian lines, testing the regional balance of power between Sunnis and Shiites.  
<[amnesty.org/en/press-releases/2015/10/yemen-call-for-suspension-of-arms-transfers-to-coalition-and-accountability-for-war-crimes/](http://amnesty.org/en/press-releases/2015/10/yemen-call-for-suspension-of-arms-transfers-to-coalition-and-accountability-for-war-crimes/)>

## Education and children’s rights

The problem of propagation of religious hatred in the classroom remains significant in Saudi Arabia. According to the United States Commission on International Religious Freedom, the textbooks used in secondary schools from 2013 to 2014 “continued to teach hatred toward members of other religions and, in some cases, promote violence. For example,

some justified violence against apostates and polytheists and labelled Jews and Christians ‘enemies.’”  
<<http://www.uscirf.gov/sites/default/files/USCIRF%202014%20Annual%20Report%20PDF.pdf>>

Since the first girls’ schools were founded in the 1960s, until 2002, girls’ education was controlled under the auspices of the Directorate of Girls’ Education managed by the religious *Ulama*. Girls’ education has been closely linked to the state religion administered by the Wahhabi religious hierarchy:

*“The purpose of educating a girl is to bring her up in a proper Islamic way so as to perform her duty in life, be an ideal and successful housewife and a good mother, ready to do things which suit her nature such as teaching, nursing and medical treatment.”*

— Helen Chapin Metz, ed. *Saudi Arabia: A Country Study*. Washington: GPO for the Library of Congress, 1992

In 2002, in an incident known as the Meccas girls’ school fire, the Saudi religious police prevented girls from evacuating their school during a fire, insisting that they must obey the religious dress code. The incident left 15 girls dead in the flames.

<[hrw.org/news/2002/03/14/saudi-arabia-religious-police-role-school-fire-criticized](http://hrw.org/news/2002/03/14/saudi-arabia-religious-police-role-school-fire-criticized)>

As a response, King Abdullah removed Saudi girls’ schools from the religious authorities. Since 2002 girls’ education has been the responsibility of the Ministry of Education also responsible for boys’ education.

In 2009 King Abdullah appointed a female Deputy Minister in charge of girls’ schooling, namely Norah Al-Faiz. She was the first woman to chair at ministerial level.

However, in 2015 in a government reshuffle, King Salman dismissed Norah Al-Faiz, after her work on the cause of girls’ sports programmes in state-run schools prompted opposition by religious conservatives. No women were appointed in the new government setting. The newly appointed Minister of Education Ministry, Azzam Al-Dakhil, vows not to allow sporting activities for girls in public schools.

## Family, community and society

Public non-Muslim places of worship are not allowed, and the right of non-Muslims to practice their religion in private is not fully protected. The intractable connection between state identity, the ruling royal family and the religious establishment results in significant pressure on all citizens to adhere to the official government interpretation of Islam. Rejection of that interpretation is conceived of as rejection of the instruments of the state.

The Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), which enforces public morality and restrictions on public religious manifestations and practice, is especially intolerant of minority religions and disbelief. It is not subject to judicial review and reports directly to the King. Whilst over the past few years, the public presence of the CPVPV has diminished, its officials have been reported to have been acting beyond their remit and subjecting individuals to harassment, detainment, beatings and lashings.

## Freedom of expression, advocacy of humanist values

Despite the huge predominance of religion over political and social affairs, a widely-cited 2012 poll found that nearly 25% of Saudi Arabians interviewed identified as non-religious, including 5% prepared to described themselves as “A convinced atheist”.

<[redcresearch.ie/wp-content/uploads/2012/08/RED-C-press-release-Religion-and-Atheism-25-7-12.pdf](http://redcresearch.ie/wp-content/uploads/2012/08/RED-C-press-release-Religion-and-Atheism-25-7-12.pdf)>

## Blasphemy and apostasy

“Blasphemy” is conceived as a deviation from Sunni Islam and thus may also be treated as “apostasy”. Apostasy is criminalized and mandates a death penalty, and the criminal accusation of “apostasy” is sometimes deployed against people (including writers, activists, artists, or lawyers) who show any serious sign of pushing at the outer boundaries of freedom of expression, or who are critical of the religious authorities, and whose views (rightly or wrongly) are termed “atheist” or as “insulting to religion”. The death sentence (usually by beheading and crucifixion) is also used to address “crimes” of “witchcraft” and “sorcery”.

## Atheism and “terrorism”

In March 2014, the Government brought into law new anti-terrorism legislation, which defines atheism as terrorism. Article 1 of the new law defines one form of terrorism as: “Calling for atheist thought in any form, or calling into question

the fundamentals of the Islamic religion on which this country is based." Since the government system is grounded in Wahhabi interpretations of Islam, non-believers are assumed to be enemies of the Saudi state.

This legislation not only frames non-believers as terrorists but, along with related royal decrees, creates a legal framework that outlaws as terrorism nearly all thought or expression critical of the government and its understanding of Islam.

*"Saudi authorities have never tolerated criticism of their policies, but these recent laws and regulations turn almost any critical expression or independent association into crimes of terrorism..."*

— Joe Stork, deputy Middle East and North Africa Director, Human Rights Watch  
<[hrw.org/news/2014/03/20/saudi-arabia-new-terrorism-regulations-assault-rights](http://hrw.org/news/2014/03/20/saudi-arabia-new-terrorism-regulations-assault-rights)>

## Freedom of expression, advocacy of humanist values

The punishment for any perceived criticism of the ruling family or the state's interpretation of Islam is harsh and often secret or obscure in nature. Accordingly, many cases and convictions for free thought and expression are not made public which makes it very difficult to accurately report on the full extent of Saudi repression.

Following a 2011 amendment to the country's press law by a royal decree, the press is prohibited from criticizing the government or related officials, with violations potentially resulting in fines or forced closures of the press concerned. Articles deemed offensive to the religious establishment or the ruling authorities are prohibited. Domestic media are controlled by the state. The royal family owns major stakes in news outlets in multiple countries, providing them with a dominant regional influence.

The government has also sought to control online media, blocking access to hundreds of thousands of websites, which it considers immoral or politically sensitive. All websites, blogs and anyone posting news or commentary online are required by law to have a license from the Ministry of Information. Failure to do so, can result in a fine or possible closure of the website concerned.

There have been numerous arrests and convictions for social media comments, postings, and activism by human rights defenders, many falling under a vague "state security" classification precluding them from royal pardons.  
<[amnestyusa.org/news/news-item/saudi-arabia-must-release-all-prisoners-of-conscience-immediately-and-unconditionally-irrespective-o](http://amnestyusa.org/news/news-item/saudi-arabia-must-release-all-prisoners-of-conscience-immediately-and-unconditionally-irrespective-o)>

## Other Human Rights Issues

Saudi Arabia has not ratified the 'International Covenant on Economic, Social and Cultural Rights' nor the 'International Covenant on Civil and Political Rights', however, it is a party to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT).

Excessive police powers without judicial oversight and increasing lack of free expression have been worsened by the Penal Law for Crimes of Terrorism and its Financing (the "terrorism law"), with its vague and overly broad provisions.

The rights to freedom of assembly and association are denied in practice. The government frequently detains political activists who stage demonstrations or engage in other civic advocacy.

LGBT people are denied the right to sexual autonomy. Married men are prohibited from engaging in homosexual acts and can be stoned to death for such acts. As can non-Muslims who commit "sodomy" with a Muslim. Other punishments handed out to those found guilty of homosexuality include chemical castrations, imprisonment and execution. In 2014, a Saudi Arabian man was sentenced to three years in jail and 450 lashes after he was caught using Twitter to arrange dates with other men. A court in Medina, convicted him on the charge of "promoting the vice and practice of homosexuality." The newspaper Al-Watan reported that the man was arrested following an entrapment ploy by the CPVPV.

Some women continue to protest for the right to drive and move in public without a chaperone. But despite the Kingdom sometimes saying it has made progress on women's rights, those protesting have sometimes been met with punitive treatment. In December 2014, Loujain Hathloul and Maysaa Alamoudi were arrested at the border with the United Arab Emirates for driving. Their case was referred to the Specialized Criminal Court, which deals primarily with cases related to state security and terrorism.

## Highlighted cases

In 2012, a Saudi journalist and poet, **Hamza Kashghari**, was extradited from Malaysia and imprisoned without trial for twenty months due to a series of tweets considered by the authorities to be insulting toward the Prophet Mohammed. Another poet, Ashraf Fayadh, was jailed without charge in January 2014 after someone suggested that his poems contained “atheist ideas”.

In December 2013, **Raif Badawi**, a blogger and creator of a website intended to foster debate on religion and politics, was sentenced to 10 years in prison, 1,000 lashes and a fine of 1 million Saudi riyals for “insulting Islam”. Badawi was first jailed in 2012 for violating Saudi Arabia’s IT law and insulting religious authorities through his online writings and hosting those of others on his website. His sentence at that time was 7 years in prison and 600 lashes. There has been an international outcry over Badawi’s case, with many, including the IHEU and the USA, raising his plight at the UN Human Rights Council.

Raif Badawi’s lawyer, **Waleed Abu al-Khair**, was imprisoned for “breaking allegiance with the king,” “making international organizations hostile to the kingdom,” and “setting up an unlicensed organization.”

In November 2015, Palestinian poet and artist **Ashraf Fayadh** was sentenced to death for “apostasy”, a sentence to be carried out by beheading by sword. Fayadh, a member of the British-Saudi art organization Edge of Arabia, was first arrested in August 2013, in connection with his poetry. In a series of trials he has been accused of “spreading atheism”, insulting “the divine self”, insulting the Prophet Muhammad, discrediting the Quran and Hadith, and objecting to concepts of fate as acts of God. Even “having long hair” has been cited against him, as well as supposedly “having relationships” with women and having photographs of them on his mobile phone (the photographs appear to be simple side-by-side photographs with friends and colleagues). Despite having no access to a lawyer and thus violating the right to a fair trial, at the conclusion of the retrial, on 24 November 2015, Fayadh was sentenced to death. He has said he will appeal.

<[pen-international.org/11/2015/saudi-arabia-sentences-poet-to-death/](http://pen-international.org/11/2015/saudi-arabia-sentences-poet-to-death/)>

<[arablit.org/2015/01/13/imprisoned-poet-ashraf-fayadhs-frida-kahlos-mustache/](http://arablit.org/2015/01/13/imprisoned-poet-ashraf-fayadhs-frida-kahlos-mustache/)>

<[esohr.org/en/?p=658](http://esohr.org/en/?p=658)>

# Syria

Const/Govt      Edu/Child      Society/Comm      Expression



The Syrian Arab Republic is a multi-ethnic nation (predominantly Arabs, Kurds, Circassians, Chechens, and Turkomans), which was around 75% Sunni, 10%, and the remainder mainly a mix of other Muslim and other religious groups. Many of these groups have been disrupted and displaced in conflict in recent years. The country is in the throes of a civil war with a strong sectarian religious dimension. An estimated 10 million Syrians are displaced from their houses within Syria or fleeing outside the country. Even the limited freedoms granted by its constitution are therefore being violated on a massive scale by all sides in the conflict.

Constitution and government      Education and children's rights      Family, community, society, religious courts and tribunals      Freedom of expression advocacy of humanist values

State legislation is largely or entirely derived from religious law or by religious authorities			Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed
The non-religious are barred from some government offices (including posts reserved for particular religions or sects)	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Systemic religious privilege results in significant social discrimination Prohibitive interreligious social control (including interreligious marriage bans) Religious control over family law or legislation on moral matters	Expression of core humanist principles on democracy, freedom or human rights is severely restricted

## Constitution and government

The state is often referred to, and described by the Assad regime, as "secular" prior to the conflict, and there is no official state religion. However, in fact the 2012 constitution requires that the president be Muslim and stipulates that Islamic jurisprudence is a principal source of legislation.

Prior to the civil war, the Syrian constitution, law and other policies provided some limited freedom of religion or belief, but very little freedom of expression, especially with regard to the media. Discrimination based on religion is prohibited according to the law. Salafist (Sunni fundamentalist) organizations are illegal and supporting the Syrian Muslim Brotherhood is punishable by death. The government appoints Muslim leaders, in preference of those who support the secular nature of the state.

The government officially recognizes Christianity, Judaism and Islam. All religious groups are required to register and the registration process can be lengthy. Religion is document on birth certificates and other official forms, but not on national ID cards. Apostasy is not directly forbidden, however, the authorities restrict proselytizing and prohibit conversion of Muslims from Islam. Others may convert to Islam. If a Christian converts to Islam, the presiding Muslim cleric has to inform the convert's diocese. Societal pressure further make conversion, particularly from Islam to Christianity, relatively rare and forces many converts to flee outside of the country.

## Government practices

Jewish communities are not allowed to be in contact with Jews in Israel. Anti-Semitic rhetoric exists in state-funded TV and Radio programming, Newspapers and other mass media. The Alawite minority, of which president al-Assad is member, holds a political status disproportionate to its numbers.

The government portrays the opposition in sectarian terms, associates them with terrorist Islamist factions and views religious affiliation as equivalent to political beliefs. Consequently, the authorities and their Shia militia allies targeted Sunni Muslims violently, killed, arrested and abused Sunni Muslims and other religious minority groups. The government undertook judicial prosecution of individuals, related to their religious affiliation, but rarely provided public documentation on the number arrested. At the end of 2014 there were at least 64 Sunni religious clerics killed.

By the end of 2014, the UN estimated that more than 200,000 Syrians had been killed in the civil war. Some of these killings had a sectarian motivation: Muslims killing secularists and Christians, Christians killing Muslims, Shias killing Sunnis.

## Terrorist Organizations

ISIL's declaration of a so-called "Islamic State" in June 2014 between Syria and Iraq has had deep effects on the situation of religious freedom. Terrorist groups as ISIL and al-Nusra killed, arrested, tortured and kidnapped individuals of most religious groups in the country. They also beheaded individuals they had accused of blasphemy and apostasy. ISIL forced Iraqi Yazidis and Christians to convert, pay a 50,000 Dollar ransom or to be killed. All churches in the city of Raqqa were converted into mosques and the public worship of any other faith than Sunni Islam forbidden. ISIL abducted and tortured hundreds of Kurdish boys. Shia mosques were destroyed and many Shiites converted in order to survive in Raqqa. Al-Nusra operated many bombings and suicide attacks across the country. ISIL captured thousands of Yazidi women and girls in Iraq as slaves and sexually assaulted many of them. Armed groups linked to al-Nusra replaced governmental courts by Sharia councils in different regions, authorizing public execution and torture of minorities such as Alawites. ISIL established a "Hisba" police force, based on the Islamic Hisba principle ("command right and forbid wrong"), to enforce a strict morality code. Violations as smoking, possessing alcohol, having tattoos, listening to music, not attending Friday prayers, dressing improperly, or not fasting during Ramadan are punished with public beatings. ISIL also established an all-female police force "al-Khansaa", to control the moral code among women. The terrorist organizations further systematically destroyed cultural heritage, archaeological and religious sites. ISIL and al-Nusra have received financial support from individuals from Kuwait, Qatar, Saudi Arabia, and the UAE.

## Opposition

Beside the terrorist groups, many armed local militias contributed to sectarian violence and bombings. The Alawite population, accused of being favored by the government, becomes often the target of opposition attacks. The different religious groups are segregating into sectarian-based districts or towns.

Sunni Muslims consider Alawites and Shiites generally as allies of the al-Assad regime, while many Shiites, Alawites, Christians and other minority groups fear that they will be killed by extremist Sunni groups if the government falls.

## Education and children's rights

All state schools are officially government-run and non-sectarian, although in practice the Christian and Druze communities operate some schools. There is mandatory religious instruction in public schools for all religious groups, with government-approved teachers and curriculums. Religious instruction is provided for Islam and Christianity only, and courses are divided into separate classes for Muslim and Christian students. Other religious minority groups can choose between the both or attend private schools. Although Arabic is the official school language, the authorities allow in some schools courses in Armenian, Hebrew, Syriac (Aramaic), and Chaldean.

In ISIL controlled territory the school curricula was altered. Several basic academic subjects were banned, for example chemistry, and some schools were used to train minor boys for "jihad". The schools teach according to ISIL's ideological priorities.

Since 2011 several million children have been forced to leave school.

## Family, community and society

For issues of personal status, or family law, the government requires citizens to be affiliated nominally with Christianity, Judaism, or Islam. The government allows these recognized groups to use their own religious laws in matter of family law. Consequently, members of religious groups are subject to their respective religious laws concerning marriage and divorce. Religious affiliation is required on birth certificates and legal documentation when marrying. In the case of interreligious disputes, Islamic law takes precedence. According to Amnesty International many religious courts that deal with family affairs have stopped operating due to the current situation.

Sharia is the basis of inheritance law for all citizens, except Christians. Women inherit usually the half of male heirs and consequently in practice, male relatives have to provide financial support to their female relatives who inherit less. A Christian woman married to a Muslim man can not inherit from her deceased husband.

The religious family law discriminates women, although the constitution grants equal rights to all its citizens (Article 25). A Muslim woman cannot marry a Christian man, but a Muslim man can marry a Christian or Jewish woman. Women need the consent of their male guardian in order to marry. Many marriages are arranged and women can face societal or financial pressure to agree. Adultery is a criminal offence for both sexes, but the punishment is twice as high for women as for men. The law allows men to marry up to four wives without the consent of the first wife. Men can repudiate their wives, women can obtain a divorce with the Islamic principle of "khula", if they agree to renounce their dowry. Domestic violence and spousal rape are not criminalized. In addition, raped women may face violence of their

own family for shaming the family's honour. Abortion is only legal, if the pregnant woman's life is in danger.  
<[genderindex.org/country/syrian-arab-republic](http://genderindex.org/country/syrian-arab-republic)>

Violence against women such as rape is used as a weapon of war in the current situation. In the refugee camps domestic violence and sexual exploitation is reportedly on the increase.

## Testimonies

*"I was an atheist before the Syrian revolution. It did not affect my life in a direct way, although I was criticized by anyone who knew about my thoughts, particularly some friends and my not-close-relatives. But after the revolution the situation worsened: the Syrian militants now kill or kidnap every atheist they find. I am glad to live abroad now."*

— Leen

# Turkey

Const/Govt    Edu/Child    Society/Comm    Expression



With its historical metropolis, Istanbul, the only city in the world said to be straddling Asia and Europe, Turkey has long been pulled ideologically in divergent directions. In recent years, the famous secularism of Atatürk has been under tremendous pressure from the Islamist-leaning government of President Recep Tayyip Erdoğan and the ruling Justice and Development Party (AKP). Turkey is a member state of the Organization of Islamic Cooperation (OIC).

*This country is found to be declining due to a sustained assault in recent years on Turkey's long-held secularist principles, as well as freedom of expression and social liberties generally in decline. The party in government continues to push for the Islamization of society. The response to an apparent coup in 2016 has been widely condemned domestically and abroad as a massive overreaction, spiralling into a "purge" of thousands of officials and a crackdown on civil society. There are widespread allegations of the use of torture against alleged coup plotters.*

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression  
advocacy of humanist values

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

## Constitution and government

The current constitution protects freedom of religion or belief, guaranteeing equal protection before the law, irrespective of "philosophical belief, religion and sect". It also lists secularism as one of the fundamental characteristics of the republic.

Following re-election in October 2015, the president Recep Tayyip Erdoğan of the ruling AKP has stated that constitutional reform is a "priority", aiming to greatly increase the president's own "executive" powers, a move widely seen as a further worrying signal of increasing autocracy.

[theguardian.com/world/2015/nov/04/turkeys-president-erdogan-says-new-constitution-should-be-priority](http://theguardian.com/world/2015/nov/04/turkeys-president-erdogan-says-new-constitution-should-be-priority)

There are already a few constitutional provisions and other laws and state practices that infringe on freedom of religion or belief and go against the principle of secularism.

The state allocates substantial funds to provide religious services for Sunni Muslims: to pay the salaries of imams, construct mosques and oversee pilgrimage.

The country is predominantly Muslim with as many as 99.8% of people identifying as such. However, a 2012 Gallup survey found that 73% described themselves as being "not a religious person" with 3% being described as "convinced atheists".

[redcresearch.ie/wp-content/uploads/2012/08/RED-C-press-release-Religion-and-Atheism-25-7-12.pdf](http://redcresearch.ie/wp-content/uploads/2012/08/RED-C-press-release-Religion-and-Atheism-25-7-12.pdf)

There have been continuing purges by Turkey's president, Recep Tayyip Erdogan, following the failed coup on 15 July. The crackdown includes the night-time arrests of members of the opposition, pro-Kurdish Peoples' Democratic Party (HDP). More than 36,000 people have been arrested since the coup, and 100,000 have been sacked (mainly from state jobs).

[cpj.org/blog/2016/11/turkey-crackdown-chronicle-week-of-november-13.php](http://cpj.org/blog/2016/11/turkey-crackdown-chronicle-week-of-november-13.php)

[economist.com/news/europe/21709991-president-erdogan-keeps-purging-turkey-locks-up-dissidents](http://economist.com/news/europe/21709991-president-erdogan-keeps-purging-turkey-locks-up-dissidents)

## Education and children's rights

Religion classes at primary and secondary schools are compulsory. Article 42 requires this education to be conducted under the "supervision and control of the state". While these classes cover basic information about other religions, they are predominantly about the theory and practice of Sunni Hanefi Islam.

## Family, community and society

High-level government officials including president Erdoğan continue to promote a more socially conservative and Islamic-inspired rhetoric around individual rights and freedoms.

### Government sexism

Women have repeatedly been painted by AKP officials as ideally having a separate and more domestic role than men. Violence against women has been on the rise, and in November 2015 the Justice Ministry appeared to suggest responding to the rise by downgrading the sentences given to those found guilty of domestic and sexual abuse and violence, effectively reclassifying violence aimed primarily at women as a "petty crime".

[secularism.org.uk/news/2015/11/fears-for-womens-rights-in-turkey-as-justice-ministry-to-classify-violence-against-women-as-a-petty-crime](http://secularism.org.uk/news/2015/11/fears-for-womens-rights-in-turkey-as-justice-ministry-to-classify-violence-against-women-as-a-petty-crime)

In a widely reported speech to mark Eid al-Fitr in July 2014, deputy prime minister Bülent Arınç said, "Chastity is so important. It's not just a word, it's an ornament [for women]... A woman should be chaste. She should know the difference between public and private. She should not laugh in public." A social media backlash saw hundreds of women posting photographs of themselves smiling and laughing with the hashtags [#direnkahkaha](#) ("resist laughter") and [#direnkadin](#) ("resist woman"). A year later during an emergency parliamentary debate on military action against Kurdish militants, he told Nursel Aydoğan, a pro-Kurdish Peoples' Democratic Party (HDP) member of parliament: "Madam be quiet! You as a woman, be quiet!" She later responded, "I don't take it personally. It is an insult against all women including their own (ruling party) lawmakers."

[theguardian.com/world/2014/jul/30/turkish-women-defy-deputy-pm-laughter](http://theguardian.com/world/2014/jul/30/turkish-women-defy-deputy-pm-laughter)

[telegraph.co.uk/news/worldnews/europe/turkey/11771966/Turkish-deputy-PM-embroiled-in-new-sexism-row-after-saying-As-a-woman-be-quiet.html](http://telegraph.co.uk/news/worldnews/europe/turkey/11771966/Turkish-deputy-PM-embroiled-in-new-sexism-row-after-saying-As-a-woman-be-quiet.html)

## Freedom of expression, advocacy of humanist values

Freedom of expression is theoretically protected by the current constitution, but is increasingly not respected in practice. Crackdowns on social media in 2014, including an enforced Twitter blackout, gained attention worldwide.

[theguardian.com/world/2014/mar/21/turkey-blocks-twitter-prime-minister](http://theguardian.com/world/2014/mar/21/turkey-blocks-twitter-prime-minister)

Freedom of religion or belief experts, as well as secular, humanist and human rights organizations, are generally concerned by the direction of travel under the AK party regime, and unimpressed by government gestures toward improving the situation for religion or belief minorities, and wider freedoms.

### Identifying 'atheist' prompts insults, threats, discrimination

In 2015, members of the Turkish Atheism Association (*Ateizm Derneği*), spoke up about receiving death threats and hate mail, how 'atheist' is used as an insult or equated with Satanism or terrorism, and how the presumption of Islam at birth for most Turkish citizens and discrimination in the workplace act to keep the non-religious from identifying as such.

[dw.com/en/uneasy-neighbors-in-turkey-atheism-and-islam/a-18475178](http://dw.com/en/uneasy-neighbors-in-turkey-atheism-and-islam/a-18475178)

[voanews.com/content/turkeys-atheists-face-hostility-death-threats/2720367.html](http://voanews.com/content/turkeys-atheists-face-hostility-death-threats/2720367.html)

### "Blasphemy" law

Article 216 of the penal code outlaws insulting religious belief, with Article 216.3 stating:

“Any person who openly disrespects the religious belief of a group is punished with imprisonment from six months to one year if such act causes potential risk for public peace.”

The famous prosecution of renowned Turkish pianist Fazıl Say in 2013 was only one of the most prominent legal actions against Turkish artists, writers and intellectuals who have made statements about religion or about Turkish national identity. However, in October 2015 Fazıl Say's appeal case provisionally acquitted him of the earlier conviction (see “Highlighted cases” below). It remains to be seen whether the court of first instance will accept the reversal and whether this will set any new precedent as to the unconstitutionality of the “blasphemy” law.

## Highlighted Cases

The **Turkish Atheism Association (Ateizm Derneği)** founded April 2014, and personnel soon received death threats. The Association had its website <[ateizmdernegi.org](http://ateizmdernegi.org)> blocked in Turkey on 4 March 2015, in a decision the Association protested was “arbitrary”.

<[hurriyetdailynews.com/turkey-blocks-website-of-its-first-atheist-association.aspx?pageID=238&nID=79163&NewsCatID=341](http://hurriyetdailynews.com/turkey-blocks-website-of-its-first-atheist-association.aspx?pageID=238&nID=79163&NewsCatID=341)>

The Association has further protested its unequal treatment as an organization in the country, saying in petition statement: “We want politicians to restrain themselves when tempted to make discriminatory statements starting with ‘even the atheists,’” and using terms like “nonbeliever” in a derogatory mode. “We want equal treatment before the law. We do not want to be treated as though we have ‘insulted religious values’ when we express our faithlessness.” The petition also challenges AKP (Justice and Development Party) rhetoric to the effect that Turkey is a country of a “single religion”, calls for the removal of religious affiliation from Turkish identity cards, and requests representation at government meetings with non-Muslim communities from which they are currently excluded.

<[change.org/p/tbmm-ateistlerin-ve-dinsizlerin-yasal-stat%C3%BCs%C3%BC-tan%C4%B1ns%C4%B1n](http://change.org/p/tbmm-ateistlerin-ve-dinsizlerin-yasal-stat%C3%BCs%C3%BC-tan%C4%B1ns%C4%B1n)>  
<[hurriyetdailynews.com/turkeys-atheism-association-starts-petition-for-equal-treatment-before-law-and-in-society-.aspx?pageID=517&nID=90788&NewsCatID=339](http://hurriyetdailynews.com/turkeys-atheism-association-starts-petition-for-equal-treatment-before-law-and-in-society-.aspx?pageID=517&nID=90788&NewsCatID=339)>

In 2014, Armenian writer and atheist **Sevan Nişanyan** was given a lengthy prison sentence, ostensibly for building regulation violations, but the prosecution appears selective and is widely regarded as being linked to his writings on national identity, the Armenian genocide, and in particular his criticism of Islam. There is a campaign for his release.  
<[al-monitor.com/pulse/originals/2014/01/nisanyan-turkish-jail.html](http://al-monitor.com/pulse/originals/2014/01/nisanyan-turkish-jail.html)>

In May 2014, **Sedat Kapanoğlu**, founder of one of Turkey's most popular online forums, Ekşi Sözlük (Sour Dictionary) was given a 10-month suspended sentence for blasphemy. A police complaint alleging insults to the Prophet Muhammad were made on a discussion thread at the forum. Some 40 forum members were detained by police and charged with insulting religion. The court ruled that Kapanoğlu had committed the crime of “insulting the religious values shared by a group of society”. The 10-month sentence was suspended, based on the time elapsed since the crime was committed and the means used for it.

The court also gave suspect **Özgür Kuru** seven months and 15 days in jail on the same charges, but also suspended the sentence. The court acquitted a third suspect, **Altuğ Şahin**, on the grounds that it could not be detected whether he actually committed the crime of “insulting religious beliefs.” The court also decided to suspend the cases against other 37 suspects. However, all the suspects may be retried if they commit the same crime within three years.

<[hurriyetdailynews.com/court-sentences-founder-of-popular-online-forum-for-blasphemy.aspx?pageID=238&nID=66544&NewsCatID=339](http://hurriyetdailynews.com/court-sentences-founder-of-popular-online-forum-for-blasphemy.aspx?pageID=238&nID=66544&NewsCatID=339)>

On June 1, 2012, Turkish authorities charged **Fazıl Say**, an atheist and world-renowned classical and jazz pianist, with insulting Islamic values in Twitter messages. The cited message echoed the words of famous 11th-century Persian poet, Omar Khayyam, poking fun at afterlife beliefs. Say denied the charge, but was handed a suspended 10-month jail term on 15 April 2013.

<[huffingtonpost.com/2013/04/15/fazil-say-jailed-turkish-pianist-receives-suspended-jail-term-for-twitter-comments\\_n\\_3083849.html](http://huffingtonpost.com/2013/04/15/fazil-say-jailed-turkish-pianist-receives-suspended-jail-term-for-twitter-comments_n_3083849.html)>

In October 2015, the Supreme Court of Appeals overturned the verdict, citing Say's own freedom of thought and expression against the prior conviction that he had “insulted” religious beliefs. The court of first instance will now consider the appeal verdict; if they dissent then the process of review will continue.

<[hurriyetdailynews.com/top-appeals-court-reverses-blasphemy-decision-against-turkish-pianist-say.aspx?pageID=238&nID=90336&NewsCatID=339](http://hurriyetdailynews.com/top-appeals-court-reverses-blasphemy-decision-against-turkish-pianist-say.aspx?pageID=238&nID=90336&NewsCatID=339)>

In October 2014, a woman not widely named in media reports was arrested for tweeting a picture of her stilettoed feet standing on a Quran. The tweeter was arrested after a complaint from Ankara Mayor Melih Gökçek, who has sued as many as 3,000 people for insulting him.

<[huffingtonpost.com/2014/10/23/turkey-stilettos-quran-tweet\\_n\\_6035198.html](http://huffingtonpost.com/2014/10/23/turkey-stilettos-quran-tweet_n_6035198.html)>

In 2008, Islamic creationist writer **Adnan Oktar**, better known by his pen name Harun Yahya, successfully sued to block the website of evolutionary biologist Richard Dawkins due to “defamatory and blasphemous” content.  
<[theguardian.com/world/2008/sep/18/turkey](http://theguardian.com/world/2008/sep/18/turkey)>

## Testimonies

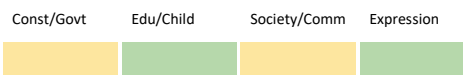
*“It’s getting more and more difficult for a secular minded person to raise children unaffected from religious oppression. Some secular schools in my neighbourhood have been changed to religious curriculum. There is a mandatory “Morale and Religion” class, which teaches basics of Sunni Islam, and I’m afraid my child will be forced to take it. To avoid the class, the school management requires me to declare my religious beliefs. This is against the Constitution, and will make us exposed. Many people don’t bother and that’s how everyone’s signed up to that class. I hear from relatives that their children are compelled to select other “optional” religious courses, because science teachers are not available, but religious teachers always are. Yesterday [4 December 2014], the National Education Council suggested religion class for kindergarten, while protesters were accused of blasphemy. That idea was dismissed for kindergarten, but recommended for the first class in primary school. See the mindset in charge? I am seriously concerned about how I am going to secure my child’s getting a secular education, just as I did myself sixteen years ago. The situation has deteriorated and is much worse than how it was in the 90’s.”*

— Levent Topakoglu

*“Today I found myself deleting the anti-religion and anti-government posts in my timeline. Because I can be charged with ‘causing imminent threat to public peace’ with my posts of atheist humor, according to Turkish penal law 216/3. It could be elements of criticism to religious fanaticism, or just a piece of poetry from 800 years ago. It doesn’t matter to the judges, thanks to an unnecessarily wide understanding of the law. My post doesn’t need to provoke anyone, nor cause hurt. I can be tried anyway. The same is not applied when the head of government can easily call atheists “terrorists” or condemns atheism to be an unwanted result of ‘bad’ education. In a nation where an alarmingly high percentage of citizens deem atheists the least wanted neighbours, followed by homosexuals, I cannot afford to allow our politicians to promote this unfair, non-democratic, non-secular propaganda against non-Sunni Muslims living in Turkey. Are all citizens not deserving of the same protection and consideration under the law of the country in which they reside?”*

— Onur Romano

# United States of America



The United States of America is a large country of around 315 million people, bordered by Canada to the north and Mexico to the south. Since the end of World War II, the US has been widely considered the most powerful nation on Earth and remains very influential globally in economic, cultural and political affairs.

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Freedom of expression  
advocacy of humanist values

Official symbolic deference to religion  
Anomalous discrimination by local or provincial authorities, or overseas territories

Localised or infrequent but recurring and widespread social marginalisation or prejudice against the non-religious

No formal discrimination in education

No fundamental restrictions on freedom of expression or advocacy of humanist values

## Constitution and government

The United States receives a relatively good rating in this Report, in consequence of the nation's strong constitutional protections in favour of freedom of thought, religion or belief and freedom of expression, which are usually upheld in practice. There is also a deep-rooted cultural emphasis on individual freedom.

However, those very freedoms, and openness to challenge, debate and due process — combined with the sometimes also very strong, deeply-rooted Christian conservatism of some Americans — means that secular, humanist and civil liberties groups find themselves facing a continual battle to preserve the inherent secularism of the constitution from persistent challenges, often involving state authorities or officials, or individuals, citing “religious freedom” in an attempt to bypass separation of church and state, to enforce particular religious beliefs in the public sphere, or in some way “establish” religion. Thanks to founding constitutional principles, these battles have usually been won on the side of secularism in the longer term.

### The constitution, “free exercise” and “establishment”

The US Constitution is often considered to be one of the world's first political secular documents. The secular tradition in US law comes in part from the diverse religious makeup of the original colonies and the enlightenment idea that no one religion should come to be dominant in politics.

The First Amendment of the United States Constitution protects the right to freedom of religion and freedom of expression from government interference.

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”

The Amendment has two clauses directly relating to the relationship between state and religion. The “Free Exercise Clause”, protects the rights of people to hold whatever religious beliefs he or she wants, and to exercise that belief. This protection has also been extended to the right to non-belief. The “Establishment Clause” forbids the establishment of a state church and prevents the government, both state and federal, from favoring any one religious doctrine. This is often called the separation clause, referring to Thomas Jefferson's description of “a wall of separation between church and state”.

The Constitution also prevents religious requirements for public office with Article 6 stating: “no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States”.

Broadly speaking, these clauses combine to create an largely open society in which all people are afforded the same legal rights to practice religion or not; convert from one religion to another, or reconvert altogether; to express beliefs regarding religion; and to participate in all areas of public life.

## Concerns regarding Trump presidency

US president-elect Trump courted and won the support of conservative Christian leaders. Some commentators have noted that since claiming victory, Trump has rowed back on some of the pledges made during the campaign, but policy pledges around conservative religious and nationalist values are being upheld in his post-election statements and appointments. He has said that his promise to appoint pro-gun, pro-life Supreme Court judges would be kept, and responding to the prospect of women finding it harder to obtain an abortion he said: "Yeah, well, they'll perhaps have to go, they'll have to go to another state." He offered the job of Education Secretary to prominent creationist Jerry Falwell but in the end went with billionaire Republican party donor Betsy DeVos, a Christian campaigner against marriage equality and ardently in favour of the school vouchers system. The National Education Association criticised her appointment saying: "her efforts over the years have done more to undermine public education than support students. She has lobbied for failed schemes, like vouchers — which take away funding and local control from our public schools — to fund private schools at taxpayers' expense." The voucher system effectively channels taxpayers' money to religious schools in particular, which do not have to serve families of all religions or beliefs equally. Rabbi Jack Moline, president of Interfaith Alliance, commented: "Americans are always free to send their children to private schools and religious schools, but raiding the public treasury to subsidize private businesses and religious organizations runs against the public trust and the Constitution" and that the move suggests that Trump "has little regard for... the constitutional principle of separation of church and state." Trump had previously pledged to repeal the Johnson Amendment, which would return to tax-exempt churches the right to campaign in party politics. Along with his running mate, Mike Pence, there are various threats to LGBTI rights. Trump has also said he would like to criminalize the burning of the American flag with prison terms or the revocation of citizenship, a policy widely-denounced as contrary to the free expression, as well as being a violation of the human right to citizenship. Executive Director of the American Humanist Association, Roy Speckhardt, comments: "No matter how thin Trump's veneer of religiosity may be, make no mistake that the Religious Right has just assumed a mantle of power that exceeds their fondest hopes and humanists' worst nightmares."

<[patheos.com/blogs/friendlyatheist/2016/11/14/donald-trump-women-may-have-to-go-to-another-state-to-obtain-abortion-under-his-supreme-court/](http://patheos.com/blogs/friendlyatheist/2016/11/14/donald-trump-women-may-have-to-go-to-another-state-to-obtain-abortion-under-his-supreme-court/)>

<[bigstory.ap.org/article/df9a14336c64485cabb5fdc81ded5981/falwell-says-trump-offered-him-education-secretary-job](http://bigstory.ap.org/article/df9a14336c64485cabb5fdc81ded5981/falwell-says-trump-offered-him-education-secretary-job)>

<[washingtonpost.com/local/education/trump-picks-billionaire-betsy-devos-school-voucher-advocate-as-education-secretary/2016/11/23/c3d66b94-af96-11e6-840f-e3ebab6bcd3\\_story.html](http://washingtonpost.com/local/education/trump-picks-billionaire-betsy-devos-school-voucher-advocate-as-education-secretary/2016/11/23/c3d66b94-af96-11e6-840f-e3ebab6bcd3_story.html)>

<[huffingtonpost.com/entry/ignorance-won-can-we-return-to-reason\\_us\\_58233104e4b0334571e0a3a0](http://huffingtonpost.com/entry/ignorance-won-can-we-return-to-reason_us_58233104e4b0334571e0a3a0)>

## "Under God" and "In God we Trust"

Despite the long history of the secular constitution, the Cold War Era in the 1950s saw increased paranoia towards atheism because of its association with Communism. In 1951 the Catholic group "The Knights of Columbus" successfully lobbied to have the words "Under God" added to the pledge of allegiance. The pledge is said during the opening of sessions of Congress, the beginning of numerous state and local government meetings and at the beginning of a school day. It is also popular during the July 4th festivities.

<[oldtimeislands.org/pledge/pledge.htm](http://oldtimeislands.org/pledge/pledge.htm)>

Similarly, the United States Motto was established in 1956 as "In God We Trust" and can be found on all paper currency in the US. There have been numerous unsuccessful campaigns since the 1950s, by secular and religious minority groups alike, to secularise both the pledge and the motto. These have included numerous supreme and appeals court cases, the most recent being in April 2014.

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

The Don't Say the Pledge campaign <[dontsaythepledge.com/](http://dontsaythepledge.com/)> by the American Humanist Association has had some success in 2015, for example establishing precedents against the enforced recitation of the pledge by students in school settings.

<[americanhumanist.org/news/details/2015-10-student-may-sit-during-the-pledge-of-allegiance-says](http://americanhumanist.org/news/details/2015-10-student-may-sit-during-the-pledge-of-allegiance-says)>

## Religious monuments on government land

The U.S. Constitution prohibits the government from endorsing one religion over the other, but there have been many attempts to establish religion, particularly Christianity, in the form of religious monuments on public property. However, results from a variety of lawsuits have been mixed.

In April 2014, the American Humanist Association successfully challenged plans to erect a memorial honoring war veterans that included an image of a soldier kneeling to a Christian cross. However, in November 2015, the association lost a similar case challenging a 40-foot Christian cross, known as the Peace Cross, in Bladensburg, Maryland.

The holiday season in December often results in an uptick of constitutional violations regarding religious displays on public property. Local governments often place stand-alone nativity scenes (also known as creches) on public grounds, which violates the Establishment Clause. However, local governments have found a way around the law by allowing other religious holiday displays along with the nativity scenes, such as menorahs. A number of local humanist

organizations have requested permission to display a HumanLight sign or other display representing humanists, atheists, and freethinkers.

## State Laws

Although the Constitution is secular, there are significant anti-secular issues at the state level. Despite the constitutional prohibition (Article 6) of any “religious test” for public office, there are currently 8 states where the laws directly block those who deny the existence of God or “a supreme being” from holding public office. This can even extend to the banning of atheists from testifying in court. An example of this is the State constitution of Arkansas which explicitly mentions atheists:

“1: Atheists disqualified from holding office or testifying as witness.

No person who denies the being of a God shall hold any office in the civil departments of this State, nor be competent to testify as a witness in any Court.”

— <[arkleg.state.ar.us/assembly/Summary/ArkansasConstitution1874.pdf](http://arkleg.state.ar.us/assembly/Summary/ArkansasConstitution1874.pdf)>

Similar laws exist in Maryland, Mississippi, Texas, both Carolinas, Tennessee and Pennsylvania.

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

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

## Education and children’s rights

The role of religion in American public schools has been a source of heated debate for decades. The Establishment Clause has generally been interpreted as prohibiting the observance or promotion of religion in state-funded schools.

Despite the clear prohibition against public funding for religious schools, there are some cases where state and federal funding can be used to send children to private religious schools through a voucher program. There is an argument to be made that this constitutes indirect funding of religious schools.

<[secular.org/issues/vouchers](http://secular.org/issues/vouchers)>

<[americanhumanist.org/news/details/2015-07-stop-vouchers-oppose-government-funding-of-religious](http://americanhumanist.org/news/details/2015-07-stop-vouchers-oppose-government-funding-of-religious)>

In 2015, religious and secular groups protested the possible creation of a private school voucher programme under the Elementary and Secondary Education Act (ESEA) under the guise of “portability” of voucher entitlements. The groups protested that “The portability provision undermines Title I’s fundamental purpose of assisting public schools with high concentrations of poverty and high-need students and serves as a stepping-stone to private school vouchers...”

<[americanhumanist.org/news/details/2015-10-aha-joins-groups-opposing-private-school-vouchers](http://americanhumanist.org/news/details/2015-10-aha-joins-groups-opposing-private-school-vouchers)>

School prayer has been a major heatedly contested issue. Since the 1960s, schools have been forbidden to compose prayers for students or include prayer as part of official school proceedings. Students are allowed to pray in groups or on their own independent of formal school proceedings as long as it is not disruptive. Other expressions of religion, such as religious clothing, are protected under the free exercise clause of the 1st amendment. Despite a recent decline in support a 2011 poll found that 65% of the Americans support school prayer. Over the decades there have been numerous legal cases, many of which have gone as far as the supreme court.

<[aclu.org/religion-belief/aclu-and-freedom-religion-and-belief](http://aclu.org/religion-belief/aclu-and-freedom-religion-and-belief)>

<[infidels.org/library/modern/church-state/decisions.html](http://infidels.org/library/modern/church-state/decisions.html)>

Many local School districts are run by a board directly elected by the local population. Whilst this direct involvement can be seen as positive, in some cases, it has led to the school board’s domination by religious ideologues. This has often lead to school boards attempting to introduce creationism and intelligent design curricula such as during the Kitzmiller v. Dover case in 2005. A more recent and complex case can be found in the East Ramapo School District where the Orthodox Jewish dominated board has been accused of favouring Jewish students who attend Private Orthodox schools whilst defunding the places of up to 9,000 public school students.

<[thisamericanlife.org/radio-archives/episode/534/transcript](http://thisamericanlife.org/radio-archives/episode/534/transcript)>

<[nytimes.com/2014/11/18/nyregion/east-ramapo-school-board-is-criticized-by-new-york-city-monitor.html?\\_r=0](http://nytimes.com/2014/11/18/nyregion/east-ramapo-school-board-is-criticized-by-new-york-city-monitor.html?_r=0)>

## Family, community and society

### Hobby Lobby

On 25 March 2014, the Supreme Court heard arguments for the cases [Sebelius v Hobby Lobby Stores, Inc.](#) and [Conestoga Wood Specialties Corp. v Sebelius](#). The Hobby Lobby Stores and Conestoga Wood Specialties are both Christian-owned stores that were concerned about the ‘contraceptive mandate’, which would require that businesses that offer health insurance to their employees must also cover all federally-approved contraception methods for them at no additional cost. The store owners believe that four of those contraceptive methods are equivalent to abortion. They argued that the contraceptives would burden their religious exercise and and sought for an exemption. They argued that they were entitled to exemption under the RFRA (Religious Freedom Restoration Act) and the administration had granted exemptions to some churches and religious nonprofit organizations, showing that the mandate could not be the least restrictive means of achieving a compelling state interest. The government had argued that for-profit corporations’

owners do not receive such exemptions. However, the Supreme Court eventually ruled in a 5-4 decision that a closely-held company can be exempt from contraceptive coverage under the Affordable Care Act.  
<[economist.com/blogs/economist-explains/2014/03/economist-explains-19](http://economist.com/blogs/economist-explains/2014/03/economist-explains-19)>  
<[msnbc.com/msnbc/hobby-lobby-supreme-court-wins-narrow-ruling](http://msnbc.com/msnbc/hobby-lobby-supreme-court-wins-narrow-ruling)>

## Social Pressure on the Non-religious

The US has among the highest religiosity in the western world, though there has been a marked rise in the number of people identifying as non-religious or religiously “unaffiliated” in recent years.  
<[pewforum.org/2015/05/12/americas-changing-religious-landscape/](http://pewforum.org/2015/05/12/americas-changing-religious-landscape/)>

Despite strong legal and constitutional protections for the religious and secular alike, the U.S. has long been home to a social and political atmosphere in which the non-religious are sometimes made to feel like lesser Americans or as if atheism is “un-American”.

Opinion polls have regularly suggested that the majority of Americans would be less likely to vote for a presidential candidate if they were an atheist. One survey suggested that “No other trait, including being gay or having never held elected office, garnered a larger share of people saying they’d be less likely to support the potential candidate.” Other surveys have shown that 60% of Americans (75% of Evangelicals) have a less favourable view of atheists than most other belief groups.  
<[pewresearch.org/fact-tank/2014/05/29/americans-are-somewhat-more-open-to-the-idea-of-an-atheist-president/](http://pewresearch.org/fact-tank/2014/05/29/americans-are-somewhat-more-open-to-the-idea-of-an-atheist-president/)>  
<[pewresearch.org/fact-tank/2014/07/16/u-s-evangelical-christians-are-chilly-toward-atheists-and-the-feeling-is-mutual/](http://pewresearch.org/fact-tank/2014/07/16/u-s-evangelical-christians-are-chilly-toward-atheists-and-the-feeling-is-mutual/)>

It’s worth noting that these surveys actually represent an improvement in the reputation of atheists when compared to similar studies undertaken in previous years.

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

Following the presidential election of Donald Trump in November 2016, right-wing Christian lobby group National Organization for Marriage (NOM) have vowed to work with Trump to reverse equal marriage throughout the country, and to bring about an end to the US’s persuasions to equalise marriage abroad.  
[http://www.patheos.com/blogs/friendlyatheist/2016/11/10/anti-lgbt-christians-are-already-working-to-undo-marriage-equality/?utm\\_source=dlvr.it&utm\\_medium=twitter](http://www.patheos.com/blogs/friendlyatheist/2016/11/10/anti-lgbt-christians-are-already-working-to-undo-marriage-equality/?utm_source=dlvr.it&utm_medium=twitter)

## Freedom of expression, advocacy of humanist values

The United States has a strong constitutional tradition, and the constitution famously guarantees freedom of expression. The concept of free speech is deeply embedded in the culture.

However there are concerns following the November 2016 elections that President Trump has repeatedly questioned the right to opinion of various media outlets and individual commentators. In a characteristically blasé tweet of 29 November 2016 he said: “Nobody should be allowed to burn the American flag – if they do, there must be consequences – perhaps loss of citizenship or year in jail!” Whether the first amendment to the US constitution protects flag-burning has been a recurrent question in free speech debate and may be considered a touchstone issue. Trump’s stance is contrary to a Supreme Court decision of 1989 which found that flag-burning was a constitutionally protected expression.

## Atheists in Congress

Anti-non-religious sentiment has fed into the social idea that to be really American is to be religious, especially Christian, which in turn creates an atmosphere in which elected officials, or candidates seeking office, feel the need to play into that idea. There is a clear right to be an atheist, but going public as such, in some states or in some social or political contexts, might have debilitating consequences for your chances of success in life.

For example, there are several Congress members who refuse to list their religious affiliation but only one of the 535 members of Congress claim to be non-religious (Rep. Kyrsten Sinema (Arizona) listed “none” under the category of religious affiliation). One former Congressman, Barney Frank, who had previously suggested he was an atheist, said in his 2015 memoir that, “In fact, I am not an atheist”, and even advised others against using the term.  
<[patheos.com/blogs/friendlyatheist/2015/04/06/former-congressman-barney-frank-atheist-politicians-shouldnt-use-the-word-atheist/](http://patheos.com/blogs/friendlyatheist/2015/04/06/former-congressman-barney-frank-atheist-politicians-shouldnt-use-the-word-atheist/)>

Despite the dearth of known non-religious politicians in Congress, the American Humanist Association suggested in 2014 that dozens have in fact stated privately they are non-religious, but are afraid to “come out”.  
<[huffingtonpost.com/2014/08/22/atheist-congress-members\\_n\\_5701377.html](http://huffingtonpost.com/2014/08/22/atheist-congress-members_n_5701377.html)>

## Same-sex marriage

In June 2015, the Supreme Court established the right of same-sex couples to marry, in a landmark ruling (*Obergefell v. Hodges*). Implementation of the decision, which effectively legalised same-sex marriage nationwide, has faced opposition from some conservative religious groups. In one widely-reported case, Kentucky clerk Kim Davis, an elected official, was briefly sent to prison after refusing to comply with the ruling by issuing same-sex marriage licenses, for discriminating against same-sex couples.

## Highlighted cases

There were some mixed signs for secular equality in the justice system in 2015. In February 2015, after a hearing on charges of DUI (driving under the influence), one **Michael Baker** was required to attend Alcoholics Anonymous ("AA") meetings as a condition of his parole, despite being an atheist and despite officially raising objections to his parole officer and again at a hearing in August, and despite being verbally harassed for his atheism by other attendees at the AA meetings he did attend. At the most recent hearing in August, despite recognising the "spiritual basis" of AA, the judge ordered Baker to attend.

*"The state cannot require an atheist to undergo faith-based treatment, as doing so clearly violates the Establishment Clause of the First Amendment. In fact, the Ninth Circuit has twice held that a parolee's right to be free from coerced participation in AA is a matter of 'uncommonly well-settled case law...'"*

— Monica Miller, senior counsel, Appignani Humanist Legal Center

[americanhumanist.org/news/details/2015-09-humanist-group-defends-atheist-sentenced-to-attend-f](http://americanhumanist.org/news/details/2015-09-humanist-group-defends-atheist-sentenced-to-attend-f)

**Jason Holden**, a humanist inmate at the Federal Correctional Institution in Sheridan, Oregon, was denied the right to form a humanist study group and to identify as a humanist for official purposes. However, in this case, acting on Holden's behalf, the American Humanist Association's Appignani Humanist Legal Center reached a favorable settlement with the Federal Bureau of Prisons. "This settlement is a victory for all humanists in the federal prison system, who will no longer be denied the rights that religious individuals are accorded," commented Roy Speckhardt, executive director of the American Humanist Association. Under the terms of the enforceable settlement, the Bureau must acknowledge humanism as a worldview in parity with theistic religious beliefs, provide information as required, recognise those who wish to identify as humanist for official assignment purposes, and must permit humanist study groups.

[americanhumanist.org/news/details/2015-07-american-humanist-association-secures-equal-rights-f](http://americanhumanist.org/news/details/2015-07-american-humanist-association-secures-equal-rights-f)



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