

AN EXPOSITION OF COMETAN'S RECOGNITIONIST
APPROACH TO INTERNATIONAL HUMAN RIGHTS LAW

Recognition of Religion or Belief

how countries misuse the powers of recognition
to control what we believe and how we practice.



FIRST EDITION

analysing our right to be recognised
with The Religious Recognition Project

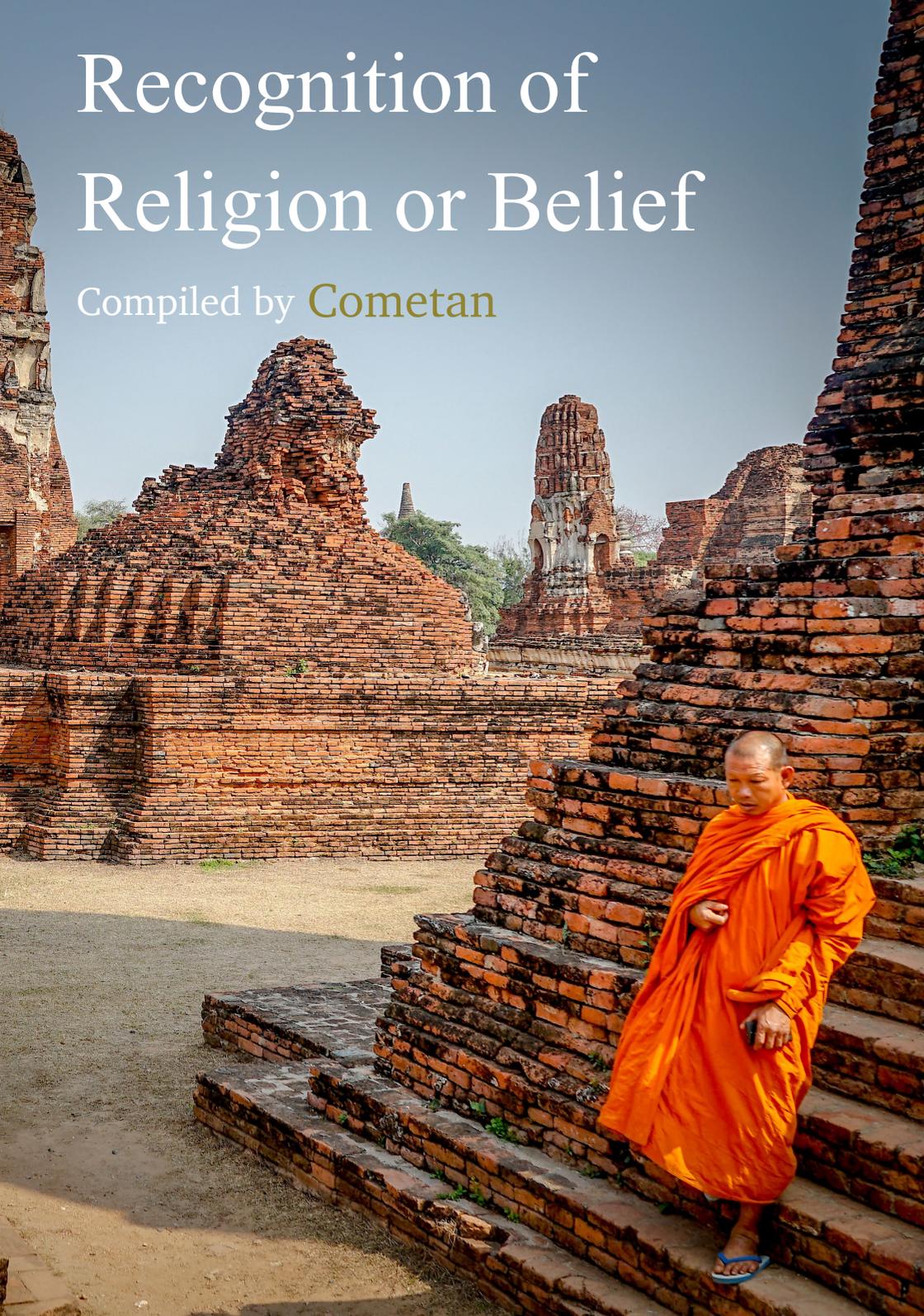
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Recognition of Religion or Belief

Compiled by **Cometan**





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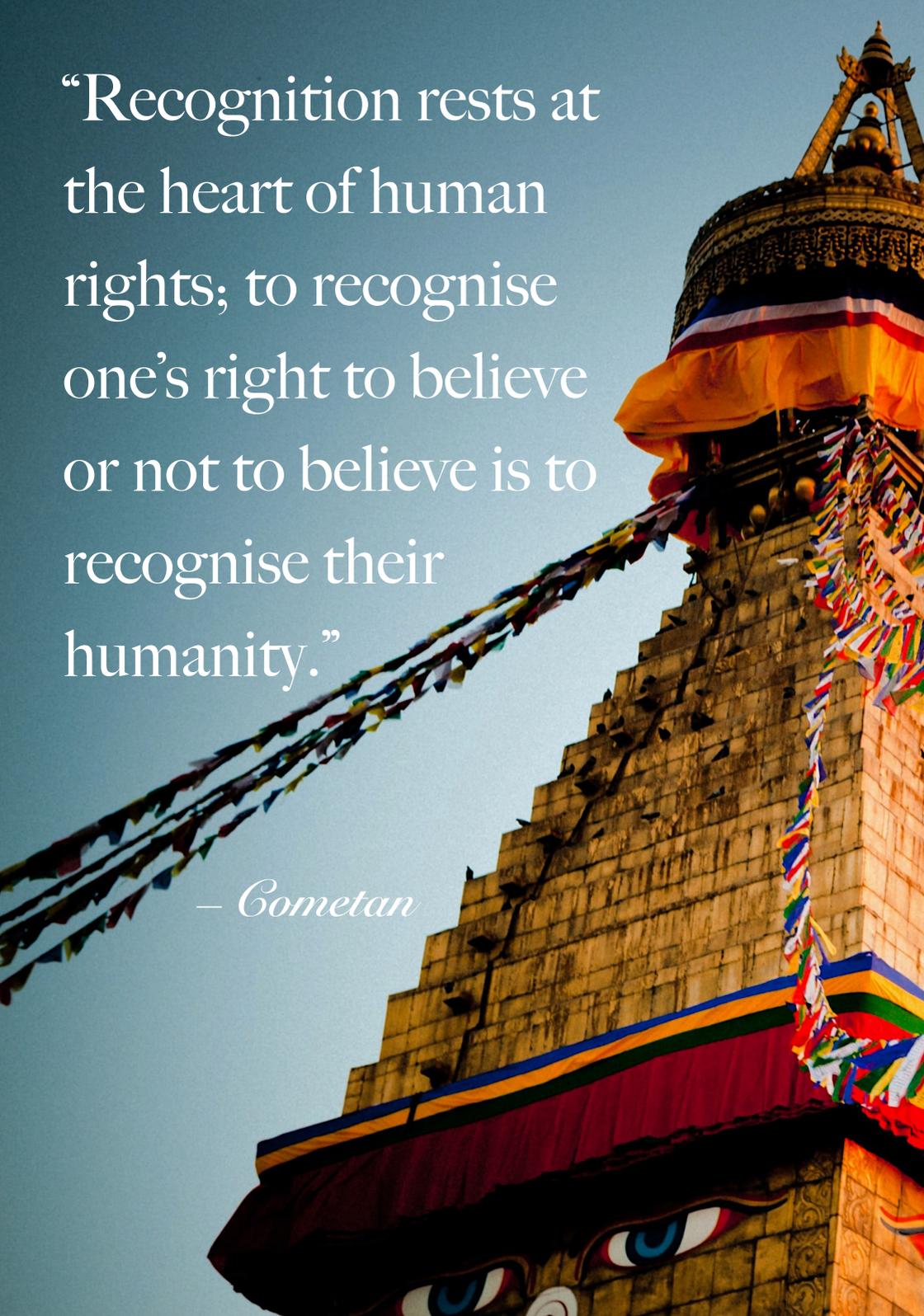
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“Recognition rests at
the heart of human
rights; to recognise
one’s right to believe
or not to believe is to
recognise their
humanity.”

– *Cometan*



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Part 1: Examining recognition of religion or belief

Section 1.1: Introduction and purpose of this First Edition

The First Edition of *Recognition of Religion or Belief* is meant to stand as a precursory to the publication of Cometan's doctoral thesis *Religious Freedom & State Recognition of Belief*. Therefore, some of the contents in this First Edition of *Recognition of Religion or Belief* has been reduced so as not to pre-empt or undermine the publication of the doctoral thesis.

It is expected that the Second Edition of *Recognition of Religion or Belief* will include far greater degrees of information unrestrained as it will be published following the publication of the doctoral thesis *Religious Freedom & State Recognition of Belief*.

Please note: precise definitions of most terms relating to RoRB issues may be found in the First Edition of *The Institutional Dictionary of Freedom of Religion or Belief* (published July 2021; the Second Edition is expected 2022).

About the author: Brandon Reece Taylorian (born 1998; a.k.a. Cometan) is a British academic specialising in the field of recognition of religion or belief (RoRB) within broader religious freedom. Brandon is currently engaged in doctoral research on religious recognition and his thesis is titled *Religious Freedom & State Recognition of Belief*. Brandon engages at an international level with those involved in the field of human rights, especially freedom of religion or belief at the United Nations and the OSCE. Brandon is dedicated to establishing RoRB as a distinct branch of FoRB and to bring more attention to registration and recognition issue in which he specialises.

Section 1.2: What is recognition of religion or belief?

Recognition of religion or belief denotes the various ways that both a state and a society bestows recognition or grants legal registration to religions and their related organisations, communities and individual members. Each country possesses a national recognition system; this encompasses the whole body of laws, policies, and procedures governing how religions or beliefs are recognised in society and registered by state authorities.

Countries vary significantly when measured according to the fairness of their national recognition systems as many possess systematic errors or procedural onerousness that means the system can be misused to the detriment of religious groups. Often, conditions for religious freedom condition in a country are contingent on how that country's recognition system is structured and how it functions.

Recognition of religion or belief is more inclusive phrase than those of 'religious recognition' and 'recognition of religion' and it follows along the same stylistic lines as the now widely used phrase freedom of religion or belief (FoRB) as it is often abbreviated to RoRB. RoRB relates to the same topic as religious recognition with perhaps only minor theoretical differences between the two. All in all, RoRB is embodied by the principle that that state and social recognition of citizens' belief identities as well as physical religious activity determines a country's overall conditions for FoRB.

Finally, an observant reader will already have noticed that a distinction in this work is being made between the functions "recognition" and "registration". This distinction is not done by

accident; recognition (sometimes called existential recognition) and registration (sometimes called legal registration) pertain to different processes within a broader recognition system. The term recognition in this context refers to acts by the state that are symbolic or pertain to the state's acknowledgement of the existence of a religion or belief in some way (e.g. granting it official recognised status). Differently, registration pertains to the state's provision of legal protections and certain stipulated benefits to a belief-based organisation (or BBO) within the legal framework; this most often means that once registration is completed, the BBO in question may act as a legal entity (in other words, it has achieved "legal entity status" meaning from then on its particularities are recognised and protected in law). In countries that fail to make a distinction between recognition and registration, this is called amalgamation and it has both legal and symbolic implications for religious groups if it persists.

Section 1.3: What basis does RoRB have?

The basis that RoRB has as a distinct branch of FoRB is that recognition plays an invaluable role in all religious activity, whether this be recognition from the state or recognition from society itself. Recognition is an irremovable component of believing in and practicing one's religion or philosophy. This makes recognition a powerful tool because a lack of recognition for an organisation or group can lead to severe human rights and IRF violations that emerge as a result of recognition's misuse by the state.

I observed during the preliminary preparations for my doctoral research to such a wide degree that recognition was being misused by countries and to what a large extent this is negatively impacting conditions for FoRB around the world. This, in turn, produced an approach to FoRB called recognitionism that would stand as the philosophical basis for a recognition-centric understanding of human rights, or viewing human rights, specifically religious freedom, through the lens of recognition issues.

The RFSRB begins by exploring the body of literature concerned with recognition, right down to the philosophy of recognition itself. An investigation is conducted into the fundamentals of how the ontology of recognition comes to influence society as a whole and how it also pertains to human rights and specifically religious freedom. A consensus is come to: that recognition consists of a central function in the relationship between the religious activities of citizens and the state itself and society too. This consensus based on literature from the philosophy of recognition is then justified even further by the myriad reports and literature on violations of FoRB around the world. By looking at that literature through the lens

of recognition, one can plainly see that recognition constitutes one of the fundamental tools that the state uses to control and restrict the religious activity of its citizens through a variety of types of restrictions, namely those of an administrative, expressional, operational, and recognitory nature.

Recognition can be bestowed by the state on multiple levels which is why the concept of levels of recognition was introduced as part of the RFSRB. It is important that a state acknowledges these different levels of recognition and fulfils the needs of recipient accordingly whether the recipient is a person, an organisation, a community or a whole belief system.

The Levels of Recognition:

Systemic recognition

Communal recognition

Organisational recognition

Parochial recognition

Individual recognition

Beyond the levels of recognition, there are also various different types of recognition; these are ways in which recognition may be bestowed rather than to whom recognition is bestowed. While the levels of recognition are all considered positive, not all types of recognition are positive: pseudo-recognition, misrecognition, derecognition, disrecognition, and hyper-recognition.

There are also various types of state-religion relations that exist as a result of the application of these different types of recognition: state religion, state atheism, secularism and state privilege.

A group-based-on-belief (abbreviated GBoB) is a community that shares the same belief identity and so may be recognised both legally and existentially as such. A BBO is the primary recipient of organisational forms of recognition and oftentimes pertains to a form legal form of recognition manifesting as registration procedures.

Impacts of state's misuse of RoRB:

- lack of legal representation or protection
- inability for one's religious organisation to operate legally (causing it to operate underground in many cases)
- harassment, house raids, arrest, torture, violence, or execution.

Impacts of breakdown in social RoRB:

- forced conversion
- inability to convert
- forced marriage
- inability to express belief public and/or privately
- social ostracism and rejection based on religion or belief
- homelessness due to religion or belief
- mental health issues (depression, anxiety) caused by social rejection or ostracism based on religion or belief
- discrimination based on religion or belief
- unemployment based on religion or belief
- poverty based on religion or belief

- restricted education due to religion or belief (causing illiteracy and innumeracy)
- the subject of terrorism or harassment based on one's religion or belief
- the subject of violence or bullying based one's religion or belief
- intolerance, disrespect or outright mocking one's religion or belief in social institutions (non-governmental).
- forced to flee or go into exile due to one's religion or belief
- mob violence and public lynching based on religion or belief (e.g. Farkhunda Malikzada)
- peer pressure to convert to the prevailing religion or belief in the society

Part 2: Documenting recognition of religion or belief

Section 2.1: Introduction

Data produced by State Department’s International Religious Freedom Report were used in the formulation of this worldwide analysis of conditions for recognition of religion or belief. Data produced in this analysis has also originated from the collection of national law documents, constitutions, and policy documents from countries regarding government approaches to religion and belief which, through a neutral examination of policy from an international perspective, in turn produces a critical analysis of government intentions towards religion and belief and the true nature of their policies in wording when reflected in government actions. The purpose of outlining RoRB conditions in each country and territory is to highlight the scale of the misuse of recognition and registration against unfavoured and minority belief groups. Sentences taken verbatim from a State Department Report are given in italics with normal font beside them providing commentary on topics addressed.

For any attribution made to the “GOV.UK Travel Advice”, please visit “foreign travel advice” at the following link and select the country of interest to you and you will find the relevant information that has been used in this book: <https://www.gov.uk/foreign-travel-advice>. The FedEx Cross Border Lists of Prohibited and Restricted Items is also used as a data source for *Recognition of Religion or Belief* on the subject of hieroncy (the importation of religious items).

RoRB and national identity

- Secularity of the country (the degree to which religious institutions are integrated with government or receive privileges from the state).

- The claims made about freedom of religion or belief in the national constitution or other main sources of law.

Recognition law

- Structures and procedures for existential recognition
- Evaluations

Registration law

- Structures and procedures of legal registration
- Evaluations

Law and policy on religion and belief

- Self-identification
- Communal activity
- Penal code

Section 2.2: Spectrum of Religious Recognition (SRR)

Spectrum of Religious Recognition (The SRR)

Classification	Overview (Descriptions are approximate to present, known conditions and relate to actions by the state or state-sponsored entities).	Features (Countries must exhibit at least one of these features to be part of the category).	Keywords (Keywords are only used in reference to the associated category).
Dynamic	<ul style="list-style-type: none"> The recognition system is adequately adaptive to recognise at multiple levels and is inclusive of both long-established groups and new religious movements; the system encompasses both a recognition capacity and a registration capacity; the tone of a dynamic system is that new movements are encouraged in their emergence which in turn supports multicultural and pluralistic principles; its recognition agency exhibits all the essential attributes of authority, autonomy, and accountability. 	<ul style="list-style-type: none"> An independent recognition agency is established. No undue regulations imposed on registration. Removal of subjective language from legislation, insertion of inclusive language and supportive services. 	<ul style="list-style-type: none"> Adaptive, dynamism. No country is currently classified as dynamic. “Close-to-dynamic” countries include: Belgium, Croatia, and Iceland.

Classification	Overview (Descriptions are approximate to present, known conditions and relate to actions by the state or state-sponsored entities).	Features (Countries must exhibit at least one of these features to be part of the category).	Keywords (Keywords are only used in reference to the associated category).
Receptive	<ul style="list-style-type: none"> • The recognition system and its registration system are primarily accommodative to “traditional” religious groups rather than new religious movements; although such a system is responsive, minor issues persist and it lacks the dynamism and adaptability that is idealised in recognitionist theory. 	<ul style="list-style-type: none"> • Procedures both for recognition and registration yet discrimination against new groups. • Some minor issues and restrictions but no mandatory registration. 	<ul style="list-style-type: none"> • Minor issues persist. • Country examples: Denmark and Peru.

Classification	Overview (Descriptions are approximate to present, known conditions and relate to actions by the state or state-sponsored entities).	Features (Countries must exhibit at least one of these features to be part of the category).	Keywords (Keywords are only used in reference to the associated category).
Apathetic (Positive apathetic)	<ul style="list-style-type: none"> • There exists a registration system but no recognition system yet freedom of religion or belief is widely upheld by the state; however, the absence of a receptive or dynamic recognition system limits the capacity for the state to fulfil its responsibilities in providing adequate services to groups and in building a culture welcoming of movements, both old and new; government intent is uphold citizens' freedoms yet any number of factors stop the establishment of a formal recognition system (e.g. lack of funds, parliamentary disagreement, suspicion). 	<ul style="list-style-type: none"> • Freedom of religion and belief is upheld by the government in broad practice. • Despite this, no procedures for existential recognition of belief systems and their derivatives. • Recognition is therefore reduced to tax-exemption. 	<ul style="list-style-type: none"> • Inadequate. • Country examples: Australia, Canada, South Africa, Suriname, and United States.

Classification	Overview (Descriptions are approximate to present, known conditions and relate to actions by the state or state-sponsored entities).	Features (Countries must exhibit at least one of these features to be part of the category).	Keywords (Keywords are only used in reference to the associated category).
Ambiguous (Negative apathetic)	<ul style="list-style-type: none"> • There exists neither a recognition system nor a registration system while conditions for freedom of religion or belief range from upheld to terminal; as a result, ambiguity as to how groups gain recognition prevails, often to maintain the hegemony of one group; government intent is either restrictive, censorious or terminal; as a result, an ambiguous country can be labelled under the subcategory of ambiguous-restrictive, ambiguous-censorious, or ambiguous-terminal. 	<ul style="list-style-type: none"> • The government has established no formal procedures for either legal registration or existential recognition. 	<ul style="list-style-type: none"> • Ambiguity, unclear. • Country examples: Vatican City.

Classification	Overview (Descriptions are approximate to present, known conditions and relate to actions by the state or state-sponsored entities).	Features (Countries must exhibit at least one of these features to be part of the category).	Keywords (Keywords are only used in reference to the associated category).
Restrictive	<ul style="list-style-type: none"> The recognition system possesses some undue stipulations and several internal issues yet these do not translate to persistent repression of freedoms in the society and seldom, if ever, results in the threat of violence; government intent is to control or limit aspects of organised religious and philosophical activity. 	<ul style="list-style-type: none"> A rule of mandatory registration for religious groups, whether dormant or actively imposed. Administrative restrictions on the registration process. 	<ul style="list-style-type: none"> Control/limit; undue/unjust/inappropriate, poor, intrusive. Country examples: Bangladesh, Romania, and Zambia.
Censorious	<ul style="list-style-type: none"> The recognition system possesses critical internal issues that have significant repercussions on conditions of freedom of religion or belief that often involves the threat of violence and, on occasion, the application of violence; government intent is to suppress either all or certain religious and belief activity. 	<p>All “restrictive” category features in addition to:</p> <ul style="list-style-type: none"> Intermittent government use of violence to maintain restrictions. Nationwide ban on any non-terrorist religious group. 	<ul style="list-style-type: none"> Excessive (regarding registration requirements), suppress; critical. Country examples: India, Indonesia, Jordan, Kazakhstan.

Classification	Overview (Descriptions are approximate to present, known conditions and relate to actions by the state or state-sponsored entities).	Features (Countries must exhibit at least one of these features to be part of the category).	Keywords (Keywords are only used in reference to the associated category).
Terminal	<ul style="list-style-type: none"> The recognition system is continuously misused to facilitate severe repression of belief groups and organisations through the regular use of violence; government intent is to extinguish either all philosophical and religious activity, or the activities of certain groups; societal leaders and members of non-persecuted groups are often complicit in the perpetuation of these conditions. 	<p>All “restrictive” and “censorious” category features in addition to:</p> <ul style="list-style-type: none"> Consistent use of violence to maintain restrictions placed on religious activity. The state orchestrates an apparatus of interlinked policies to restrict religion. 	<ul style="list-style-type: none"> Extinguish; repressive, terminal, violent. Country examples: Afghanistan, China, Cuba, Iran, Iraq, North Korea, Russia, Vietnam, Yemen.

Section 2.3: Topical issues

Although it could be said that any aspect of religious activity involves some degree of recognition, there are six main topics that particularly concern RoRB and these include recognition law, registration law, self-identification, communal activities, the penal code, and social dimensions of recognition. These six topics heavily involve a country's recognition system more than any other topics within religious freedom and therefore are the main areas of interest for RoRB research.

Subsection 2.1.1: Hieroncy

Countries that prohibit all or certain forms of religious materials and devotional items: Abkhazia, Afghanistan, Bahrain, Bangladesh, Brunei, Cambodia, China, Comoros, Crimea (occupied by the Russian Federation), Djibouti, Eastern Donbas (occupied by the Russian Federation), Egypt, Eritrea, Gambia, Indonesia, Iran, Iraq, Kazakhstan, Laos, Libya, Maldives, Mauritania, Nepal, North Korea, Oman, Pakistan, Russia, Singapore, Somalia (including Somaliland), South Ossetia, Syria, Tajikistan, Tibet Autonomous Region (People's Republic of China), United Arab Emirates, Uzbekistan, Vietnam, Western Sahara, Xinjiang Autonomous Region (People's Republic of China), and Yemen.

Countries in which the importation of religious materials and devotional items is restricted, often then requiring preapproval from the government: Azerbaijan, Algeria, Belarus, Cuba, Equatorial Guinea, Jordan, Kuwait, Kyrgyzstan, Malaysia, Myanmar, Palestine, Qatar, Romania, Saudi Arabia, Sudan, Tunisia and Turkmenistan.

Countries in which registration with the government is or may be a precondition to the legal importation of religious materials and devotional items: Bhutan, Burkina Faso, El Salvador, Eswatini, Kenya, Madagascar, Mali, Moldova, Mongolia, Morocco, Nauru, Niger, Paraguay, Rwanda, Slovakia, Solomon Islands, South Sudan, Tanzania, Togo, Tuvalu, Vanuatu, and Zambia.

Subsection 2.1.2: Conversion rights

Conversion rights, also referred to as the right to convert, is the universal right granted through freedom of religion or belief for any person to convert from one religion or belief to another without harassment or consequence based on the fact of their conversion, or to convert from one religion or belief to irreligion or non-belief without harassment or consequence based on the fact of their deconversion, or to convert from irreligion or non-belief to a religion or belief without harassment or consequence based on the fact of their decision to self-identify in such a way.

Subsection 2.1.3: Methods for improving FoRB

Just as some areas of religious activity are of more concern to RoRB than others, so too are there certain methods for improve FoRB that RoRB focuses on. These currently include:

- Bilateral cooperation agreements
- Categorisation in the SRR
- Compliance to RoRB standards
- Dedicated ministry or government office
- Establishing and promoting institutional religious freedom (IRF) (particularly its implementation into the international human rights law and related instruments)

- FoRB education and promotion
- Interfaith cooperation
- Investigative commission
- National holidays
- National human rights institution
- Ombudsmanship
- Partied to all international human rights instruments
- Recognition agency
- Recognition/registration reform
- Religious leadership
- Self-regulation/protective measures (e.g. the state's establishment of laws to stop the government from conducting content assessments and other actions deemed to violate RoRB standards)
- State accountability (for hate crimes, social ostracism and protection of religious groups).
- Diplomatic advocacy (country-to-country accountability)

Section 2.4: The state of recognition of religion or belief (RoRB) around the world in 2022

Abkhazia, Republic of — Censorious

RoRB and national identity

- The Constitution of Abkhazia makes an explicit claim to freedom of religion or belief, a claim the government consistently infracts upon in practice.
- The Republic of Abkhazia is a secular state.
- Most practicing Christians adhere to one of two branches of the Abkhazian Orthodox Church.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Abkhazia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Abkhazia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in Abkhazia as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Abkhazia as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Abkhazia is permitted without restriction, both for personal and propagational use, although likely except for the Jehovah's Witnesses due to their status as a banned religious group.
- Penal code
 - **Prohibitions**: Jehovah's Witnesses are banned by a 1995 decree.
- Facilitation of religion or belief
 - **Ombudsmanship**: the incumbent an Abkhaz ombudsperson is Asida Shakryl, who leads the Office of the Ombudsman for Human Rights.

Social dimensions of RoRB

- **Muslims**: Muslims are allowed to practice freely, though some community leaders have been attacked in the past.
- **Pagans**: there are no widely reported restrictions on the minority who identify with Abkhazia's traditional pre-Christian religion.
- **Orthodox Christians**: the Georgian Orthodox Church faces discrimination and restrictions.

Overview

- Orthodox Christianity is the dominant religion in Abkhazia, but the Georgian Orthodox Church faces discrimination and restrictions. Most practicing Christians adhere to one of two branches of the Abkhazian Orthodox Church.
- Muslims are allowed to practice freely, though some community leaders have been attacked in the past. There are no widely reported restrictions on the minority who identify with Abkhazia's traditional pre-Christian religion. Jehovah's Witnesses are banned by a 1995 decree.

History of RoRB classification

- Abkhazia has been classified Censorious in the SRR since the first iteration of the RoRB Index in 2021.

Afghanistan, Islamic Emirate of — Terminal

- Islam is Afghanistan's state religion.
- With the Taliban taking power back in August 2021, RoRB conditions remain ambiguous and broader FoRB conditions are expected to decline further.
- The Islamic Emirate makes no claim to freedom of religion or belief.
- Religious activity that is non-Islamic is proclaimed to be allowed under the law in the constitution, yet the law is so repressive and the society is certainly hostile to non-Islamic groups that their existence is futile.
- According to GOVUK Travel Advice, it is forbidden to seek to convert Muslims to other faiths; foreigners who engage in proselytism are likely to be deported. Afghanistan is an Islamic country. Local traditions, customs, and religion must be respected at all times. One should be particularly careful during the holy month of Ramadan or if one intends to visit religious areas.

RoRB and national identity

- Islam is the state religion. However, no specification is made as to a denomination of Islam, placing Afghanistan into the same category as Pakistan, Iraq, Yemen, Egypt etc. This is unlike Saudi Arabia, Algeria etc. who specify Sunni Islam and Iran which specifies Shia Islam. The establishment of Islam as the state religion translates to Afghan law as the country is ruled under Islamic Sharia law and has been since at least 1987 as an Islamic state. Taliban rule from 1996 to 2001 enforced a particularly severe view of Sharia law, an interpretation that is expected to re-emerge once more with the Taliban taking power again in 2021.

Recognition law

Structures and procedures for existential recognition

- There are presently no procedures put in place for any religion other than Islam to receive any existential recognition from the state.

Evaluations

- The particular way in which subsequent Afghan governments have established Islam as the state religion creates a system of hypervertical recognition — one in which there is no opportunity for any other religion or group to gain even a semblance of recognition in the country. Indeed, this hypervertical system is an extension from the standard vertical system of recognition that some countries have established simultaneous to their announcements of a state religion or state denomination. A hypervertical system differs from a vertical one by the fact that although in a vertical system religious groups are not treated equally, the underdog groups are given some degree of support in being able to achieve some lesser degree of recognition than that of the state religion. However, a hypervertical system does not allow for any existential recognition to be extended to any religion other than the state religion itself.

Registration law

Structures and procedures for legal registration:

- Licensing and registration of religious groups is conducted by the MOHRA but is supposedly not a legal requirement. It is likely that only Islamic groups will be successful in their applications for legal registration with the government. Registration as an Islamic group gives the group the status of a council, known as a shura; there is also an opportunity to apply as an association. Both registration processes convey official recognition and the benefit of government provision of facilities for seminars and conferences. By law, anyone who is 18 years of age or older may establish a social or political organisation. Such an entity must have a central office as well as a charter consistent with domestic laws. The Ministry of Justice accepts applications by both groups and associations. The ministry may dissolve such

organisations through a judicial order. Groups recognised as shuras may cooperate with one another on religious issues. Associations may conduct business with the government or the society as a whole.

- The MOHRA manages Hajj and Umrah pilgrimages, collects revenue for religious activities, acquires property for Islamic services, issues fatwas, preapproves imams, prepares and distributes sermons in government-approved mosques and generally raises awareness among the public of religious issues it sees a pressing.
- Registration rate: the majority of the 150,000 mosques in the country were not registered with the government prior to the Taliban takeover and so imams at unregistered mosques did not receive state funding.

Evaluations

- The rate of non-Islamic groups being accepted for legal registration remains unknown. Although there are procedures for legal registration put in place, these procedures are markedly Islamic in orientation such as the necessity to establish a shura. Procedures for legal registration are therefore established in the presumption that any group applying is Islamic which points to the reality that non-Islamic will not be accepted for legal registration.

Law and policy on religion and belief

- Self-identification
- **Conversion:** according to the Hanafi school of jurisprudence which holds dominance in present-day Afghanistan, conversion from Islam to another religion is apostasy and any attempt to self-identify or profess one's non-Islamic faith or one's irreligiosity or atheism is interpreted as blasphemy. Apostasy is classified as a hudud crime.

- **Criticism of religion:** the Hanafi school of jurisprudence interprets any criticisms of Islam or the Quran as blasphemy and thereby, punishable by death.
- **Identity cards:** government-issued national identity cards display a citizen's religion in addition to their nationality, tribe and ethnicity. Declaration of adherence to Islam is reportedly no longer a precondition to receive citizenship although this is no in doubt due to the Taliban takeover.
- **Proselytism:** the Hanafi school of jurisprudence regards proselytising — a person's attempt to convert someone else to a certain religion — as blasphemy and are subject, therefore, to the same punishment as those who convert from Islam or speak critically about the Islamic religion which is capital punishment. Hence, it is forbidden to seek to convert Muslims to other faiths.
- Communal activity
 - **Assembly and association:** non-Islamic religious assembly or association is not explicitly forbidden but the conservatism of society and the new Taliban rulers (since August 2021) make non-Islamic assembly or association a precarious activity. Mob violence has been known to arise quickly in the capital Kabul over any non-Islamic sentiment as was demonstrated in the case of Farkhunda Malikzada. Lack of recognition for non-Islamic religions is clearly one of the underlying issues for non-Islamic religious activity in the country; greater recognition and legal protection for non-Islamic groups may lead to such groups feeling it is safe enough for them to assemble and associate publicly and privately.
 - **Hierony:** the legality of the importation of non-Islamic religious publications or devotional items into Afghanistan for personal use remains unclear; however, the importation of such items for propagational use is clearly prohibited.
 - **Organisation:** producing, reproducing, printing or otherwise publishing materials contrary to Islam is prohibited. This law

is claimed to be applicable to materials that offend other religions and denominations although the reality is that the law is used to only extinguish any non-Islamic religious literature due to the lack of recognition for other religions. Publicising or promoting a religion or belief system other than Islam is prohibited which reconfirms the reality of the situation, that any unrecognised religion — essentially, any religion other than Islam — cannot exist freely in Afghanistan.

- A broader ban exists on articles or materials that the government deems harmful to the physical, spiritual or moral wellbeing of citizens, especially children and youth. Indeed, this ban includes banning articles promoting any religion other than Islam and to dispel any confusion, it goes far beyond what any democratic nation would include as safeguarding children and young people. Although this law may be framed as a means of safeguarding, it is misused to limit religious activity and the dissemination of information about non-Islamic faiths. A government agency provides broadcasting content to promote Islam in the country. Some radio stations provide religious programming for Sunni Muslims and while a smaller number of radio stations provide religious programming for Shia Muslims, there are no opportunities for non-Islamic religious programming in the country, again, as a result of the lack of recognition and legal registration of non-Islamic religions. The law obligates the government agency that dispenses broadcasting materials to adjust its programs to reflect Islamic principles or “national and spiritual values”.
- **Presidential religion:** the constitution mandates that the President and two Vice Presidents must be Muslims while other senior government officials must swear their obedience to Islamic principles as part of their oath of office.
- **Religious education:** the Ministry of Education mandates that all private and foreign funding of madrasahs in the country under its preapproval.
- Penal code

- **Religious conversion:** if an Afghan citizen converts to another religion from Islam, he or she has three days to recant this act. If the person does not recant, this is classed as an act of apostasy which is punishable by death. This places Afghanistan into a group of countries classified terminal that execute their own citizens based on their professed belief identity and based on what the government interprets as either blasphemy or apostasy.
 - This group, as of 2022, comprises Afghanistan, Brunei, Iran, Maldives, Mauritania, Nigeria, Pakistan, Qatar, Saudi Arabia, Somalia, United Arab Emirates and Yemen. These countries vary on the regularity at which they perform executions based on apostasy or blasphemy. Malaysia and the Comoros imposed prison sentences for apostasy or blasphemy. Algeria, Libya, Morocco, and Syria criminalisation any attempt to convert a Muslim, seeing instead the Muslim as the victim while Egypt, Jordan, Kuwait, and Oman relieve one's parental right to custody of their child or dissolve the convert's marriage.
- With the establishment of the Islamic Republic of Afghanistan in 2001, capital punishments for crimes such as adultery, apostasy, blasphemy and homosexuality remained with execution methods centred on hanging and shooting. However, with the 2021 re-emergence of the Islamic Emirate of Afghanistan controlled by the Taliban, it is feared that capital punishments will not only increase once again to the levels seen during the 1996-2001 Taliban period of rule but will return to methods such as stoning, amputation and flogging. Beheading for male apostates and life imprisonment for female apostates are prescribed in the Hanafi school with lesser penalties, such as short-term imprisonment or lashes, adjudicated if there is doubt over the circumstances in which the apostasy has taken place.
- **Criticism of religion:** criticising Islam, whether in written, verbal and now digital form, is punishable by death if not recanted within three days after the act is conducted. However, there is no clear process for this three-day “period of recantation” for blasphemers and apostates. Hanafi

jurisprudence also states that the government has the ability to confiscate the property of apostates and blasphemers or to prevent them from their inheritance, punishments which are applied to those of sound mind and who have reached adulthood. Deliberate insults directed towards the religion of Islam, the Quran, or the Prophet Mohammed, or any attempt at distorting the Islamic religion carry sentences of one to five years imprisonment depending on the perceived severity of the blasphemy. In this context, distortion could mean any Islamic new religious movement. Additional rules have been added in recent years for criticising Islam online or using digital devices to do so.

- **Prohibitions:** a 2007 ruling by the General Directorate of Fatwas and Accounts under the Supreme Court stated that the Baha'i Faith is blasphemy and that all Muslims who convert to it are committing apostasy which in effect prohibited the entire religion.
- **Proselytism:** the death penalty is imposed on those who attempt to convert Muslims to another religion. It is also likely that any discussion in favour of any religion other than Islam would be classified as proselytising and would therefore also be punishable by death. It is for this reason that missionary organisations are often blocked from establishing activities in the country. Unlike a blasphemer or apostate, a proselytiser might not receive the same three day recantation period as the person in question is likely not to have been a Muslim before. Whether former Muslims caught proselytising for another religion are regarded as blasphemers or apostates and are thereby given the three day recantation period remains unclear. It also remains unclear whether there exists separate legal punishments for proselytisers than blasphemers and apostates. As sharia does not specify procedures for this three day recantation period, judges are left to interpret the law themselves and form their own approaches with some opting for negotiation and discussion with the accused to encourage them to recant while others may not offer this negotiation and keep the individual

isolated until they are asked for the final time to recant before execution.

- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Afghanistan to investigate cases of human rights violation in the country.
 - **Recognition agency:** there is currently no recognition agency established in Afghanistan.

Social dimensions of RoRB

- **Social ostracism:** members of the Baha'i Faith are known to be labelled as infidels in Afghan society due in large part to the 2007 prohibition of the Baha'i Faith as blasphemy.

Overview

- Islam is the state religion.
- There exists both an abused recognition system and a misused system of registration; the registration system only accounts for Islamic councils (called shuras). The structure of religious recognition in the country makes it legally and socially impossible for any type of non-Islamic group to freely and openly practice their beliefs and faith; the power of recognition is here being severely misused.
- Religious groups are not required to register, but religions other than Islam are nonetheless heavily restricted and normativist pressures from society perpetuate this. Hence, there exists significant contradictions in the constitution and in government policy in contrast to the reality of society. This leads to a degree of an illusory situation whereby the government proclaims a narrative yet this narrative is not reflected in the society itself. The mass media law is perhaps the most deplorable demonstration of the government's breaking of their commitment to freedom of religion or belief and their party to the International Covenant on Civil and Political Rights.

Positive elements

- Nil.

Recommendations

- Dismantlement of the abusive uses of recognition in the country.
- Use recognition as a means to spread awareness of the acceptability of the diversity of belief.
- Stop the use of systematic violence in order to achieve goals of restriction and censorship.

Restriction tools implemented

- Apostasy from Islam is illegal.
- Dormant laws do exist.
- False claim to freedom of religion or belief.
- Imprisonment for conversion to a religion other than Islam.
- Nationwide censorship of minorities.
- No belief system other than Islam is recognised.
- Normativism in place.
- Only Islamic organisations are allowed to register.
- Proselytism conducted by non-Islamic groups is illegal.
- Religion by default.
- State privilege for Islamic organisations.
- State religion.

History of RoRB classification

- Since RoRB indexing began in 2021, Afghanistan has been classified as Terminal in the SRR.

Albania, Republic of — Receptive

RoRB and national identity

- The Constitution of Albania makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice.
- The Republic of Albania is a secular state; Albania was formerly a hypersecular Communist state that espoused state atheism when it was part of the Soviet Union

Recognition law

- Structures and procedures for existential recognition
 - The secularity of Albania sets out a comfortable environment for religious freedoms to flourish and supports Albania's claim to freedom of religion or belief which is made in its Constitution.
 - **Bilateral cooperation agreements:** the Albanian government maintains bilateral cooperation agreements with the following representative bodies or religious institutions: the Sunni Muslim, Bektashi, Catholic, Orthodox, and Evangelical Protestant (VUSH) communities. These agreements grant such communities with official recognised status, a form of existential recognition.
 - Other topics covered by these bilateral agreements include property restitution, tax exemptions on income/donations and religious property, and exemptions from submitting accounting records for religious activities.
 - The bilateral agreements function was made more complicated by a 2009 directive which states the government should provide financial support to the four communities recognised at the time of the provision which did not include the Evangelical Protestant (VUSH) community whose bilateral agreement only began in 2011. As of 2022, the government has not extended this 2009 directive to include its provision of support to VUSH.

- Furthermore, it remains unclear what criteria a group must fulfil in order to become viable for bilateral agreements to be ratified. The fact that some groups hold official recognition through bilateral agreements and some do not and even there exists imbalance within the communities that do hold bilateral agreements demonstrates some administrative issues with the present recognition system. In turn, this also creates a system of vertical recognition in which a hierarchy prevails over which groups get to receive these varying degrees of recognition and its benefits. For example, the Baha'i Faith, humanist and atheist communities, and those belonging to new religious movements, have yet to receive any bilateral agreements. It remains unclear how willing the government is to engage with "non-traditional" groups in instituting a bilateral agreement.
- The Albanian government has noticeably shown its support for the Jewish community since the fall of Communism although Judaism's recognition as an official religion remains ambiguous. Some have taken the 2010 inauguration of the first Chief Rabbi since the fall of Communism in Albania to mean official recognition is granted but an official bilateral agreement equivalent to those held by the Muslim and Christian communities is yet to be instituted.
- **Religions in the census:** religious groups raised their concerns over the state's use of the census as a means to reduce their funding from the government and stated that the postponement of the census would hurt their reported membership size; efforts had been made by religious groups to engage with the government on efforts to explain to the public the religion-related questions in the census but the government reportedly did not respond; an Orthodox Archbishop had begun instructed his parishioners to confirm their religion during the 2022 census.

- Evaluations

- The provision of bilateral cooperation agreements as a form of existential recognition is welcomed although these need to be expanded to all new and minority belief communities.

Registration law

- Structures and procedures of legal registration
 - GBoBs are not mandated to register with the government to perform religious services, to proselytise or to participate in the dissemination of information about their beliefs.
 - **Stipulatory registration:** stipulatory registration is imposed which states that GBoBs must register with the district court as “nonprofit associations” to open a bank account, own property and to become exempt from certain forms of tax¹.
 - Stipulatory registration is not regarded as an infringement of RoRB standards in and of itself as long as the procedures are conducted fairly or are otherwise not misused to limit what is classified as “basic religious activity” or to restrict “unwanted” or “unfavoured” GBoBs. At present understanding of current RoRB conditions in Albania, the government is not known to misuse the stipulatory registration function. Criteria for misuse of stipulatory registration includes its use in such a way that negatively impacts regular religious activity such as the hosting of services, the publication of religious texts and proselytism. In this regard, a distinction is to be made between secular religious activity (e.g. the opening of a bank account for one’s religious group) and general religious activity (e.g. public or private worship, hosting religious services, participating in proselytism). The principle issue in countries that impose stipulatory registration legislation is the overlap between their stipulations regarding secular activities and the religious freedoms of individuals as well as the right of organisations to serve individuals’ religious freedoms. For example, if a GBoB in Albania cannot

¹ This policy seems to be tailored towards local GBoBs; presumably national groups should register with the court in the capital Tirana although procedures for national groups and how this translates to local branches remains unclear.

construct a religious building or own property to conduct religious services without first registering with the government so that they can open a bank account, this stipulation will directly impact the basic religious activities of followers of that group, in turn such regulation leans very close to the line of becoming a form of mandatory registration, making it an infringement of RoRB standards.

- **Registration benefits:** the three standard benefits seen in many countries as part of stipulatory and mandatory variants of registration are used here in Albania: opening a bank account, owning property and becoming exempt from all or certain taxes. Among these, owning property is the most problematic when it comes to the misuse of stipulatory registration to infringe on individual religious freedoms and for the ability for GBoBs and BBOs conduct their activities so that individuals can fully partake in the religious/spiritual/philosophical aspects of their lives.
- Also notice the legal designation as “nonprofit association”; it has been recommended in the RFSRB that governments tailor their legal registration procedures to religious and belief organisations, hence separating BBOs for the purpose of registration from secular charities and other kinds of secular organisations due to the particular needs of BBOs as belief-based entities. Therefore, instead of nonprofit association and other similar designations, the phrase “belief-based organisation” would be a better alternative if this tailored approach were to be undertaken.
- Now that we have examined the context surrounding the registration procedures in Albania, we must look towards the dynamics of the registration procedure itself.
 - **Informational requirements:** an document detailing the organisation’s/group’s form and scope, the identities of founders and legal representatives, details on its interactions with other stakeholders (e.g. government ministries and civil society organisations), and the address of the organisation.
 - These informational requirements as they exist on the surface do not raise too much concern as long as the government does not misuse the information to ban groups it does not favour. The informational

requirements are seen as “borderline excessive” though importantly do not breach RoRB standards in and of themselves. However, their misapplication would surely constitute a violation of RoRB standards. Continued monitoring of how these informational requirements manifest in government policy and practice regarding religion and belief will be central to determining RoRB conditions in Albania.

- **Registration fee:** a fee of 2,000 leks (\$19) is imposed for these registration procedures (an increase from 1,000 leks or \$10 the year before).
 - **Registry duration:** “a judge is randomly assigned within four days of submission to adjudicate an application and typically starts and finishes the adjudication in one day,” meaning the proceedings are fairly straightforward and registry duration is not an issue.
 - **Registration rate:** the State Committee on Religion stated that there were 195 religious organisations registered, 174 of which were of Evangelical Christian orientation.
 - **Separate permit process for religious buildings:** Religious groups, including religious communities, foundations, and missions, must have building permits to construct new houses of worship. The law allows the government post facto to legalise “informal” buildings constructed prior to 2014 without permits.
 - The government continues to implement measures for the legalisation of buildings built by religious groups, primarily Sunni mosques, Catholic and AOC churches, and Bektashi tekkes (centres of worship) built without government approval after the fall of Communism in the early 1990s.
 - Religious groups have criticised the restitution procedures as bureaucratic, that they cause unnecessary delays hampered by the SAC’s inability to locate relevant documents in state archives; decisions made by the SAC often lacked explanation or supporting evidence.
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- Evaluations

- The present incarnation of legal registration procedures do not violate RoRB standards although some aspects could easily be misused or misapplied to do so. Monitoring how registration procedures are conducted and whether minority groups report misuse of procedures will be important to determining RoRB standards in the future.

Law and policy on religion and belief

- Self-identification
 - Freedom of religion or belief is guaranteed by the Albanian constitution and this right is broadly respected in practice with no reports of societal abuse or discrimination based on religious, spiritual or philosophical belief or practice.
- Communal activity
 - There were no reports of religious prisoners or detainees in the country.
 - There were no reports of forced religious conversion.
 - From 2001 to 2008, some cases of religious intolerance, vandalism of churches, religious hatred among pockets of the public, and baseless arrests were largely resolved without continued dispute.
- Penal code
 - No parts of the penal code are of concern to RoRB standards at the present time.
- Facilitation of religion or belief
 - **Ombudsmanship:** in Albania, the Office of the Commissioner for Protection from Discrimination accepts and proceeds discrimination complaints and cases of human rights violation.
 - **Regulation and cooperation:** The State Committee on Religion, under the authority of the Office of the Prime

Minister, regulates relations between the government and religious groups, protects freedom of religion or belief, and promotes interfaith cooperation and understanding.

- **Recognition agency:** at present, Albania has yet to institute a recognition agency as the RFSRB outlines it but the Albanian government's attempts at facilitating religion and belief so far are welcomed.
- **Restitution:** issues with the government restoring buildings, land and religious objects and other property to their rightful owners from Communist times were still ongoing with significant bureaucracy reported by religious communities in the restitution procedures. Although constitutional rulings on the restitution of religious property have been made, the government is evidently hesitant to process all applications which is resulting in the unequal treatment of religious groups.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Albania for this First Edition of *Recognition of Religion or Belief*.

Overview

- There exists a differentiated recognition and registration system; legal registration is receiving greater focus currently; bilateral cooperation agreements exist for the major established denominations and provide for a form of official recognition yet the opportunity for smaller communities to access their own cooperation agreements seems limited, especially considering the present status of VUSH (Evangelical Protestantism) in the country.
- The registration process for a religious group (not a belief system) seems fairly straightforward, however, dubious is the state's requirement of specifics on group activities, the identity of its founders and legal representatives, the nature of its interactions with other stakeholders, and the address of the organisation.

These requirements of information seem appropriate, yet the means by which this information will be used by the government should be of cause for a degree of concern to RoRB standards.

- A registration fee of \$10 is appropriate and does not contradict the Bielefeldt provision.
- It remains unclear whether recognition with a district court equates to the recognition of the group nationally.

Positive elements

- Secular government.
- Provisions are put in place for reporting discrimination.

Recommendations

- Establish distinct procedures for existential recognition.
- Establish a recognition agency to deal with matters of RoRB.
- Reduce informational requirements.

Restriction tools implemented

- Ambiguity as to the scope of recognition that registration grants.
- Bilateral cooperation agreements seem to be limited to only a small number of denominations; ambiguity persists as to the accessibility of such agreements.
- Borderline excessive requirements of information for applicant groups.
- Stipulatory registration.

History of RoRB classification

- Albania was classified Apathetic in the RoRB Index of 2021 although was moved upward in classification to Receptive in the RoRB Index of 2022.

Algeria, People’s Democratic Republic of — Censorious

RoRB and national identity

- The Constitution of Algeria makes a partial claim to freedom of religion or belief, a claim the government does not uphold in practice: “freedom of conscience and freedom of opinion shall be inviolable; freedom of worship shall be guaranteed and exercised without discrimination in compliance with the law; the State shall impartially guarantee the protection of places of worship”.
- The Algerian Constitution of 2016 establishes Sunni Islam as the state denomination.
- From GOV.UK Travel Advice, local laws reflect the fact that Algeria is a Muslim country. Local traditions, customs, laws and religions must be respected at all times and travellers be aware of their actions to ensure that they do not offend, especially during the holy month of Ramadan or if they intend to visit religious areas.

Recognition law

- Structures and procedures for existential recognition
 - There are no procedures for the existential recognition of non-Sunni religions; it remains unclear whether Shia or other non-Sunni Islamic groups have the opportunity to receive a degree of recognition lesser than Sunni Islam itself.
- Evaluations
 - Lack of provisions for existential recognition demonstrate misuse of recognition to the detriment of both FoRB and RoRB conditions in Algeria.

Registration law

- Structures and procedures of legal registration

- **Mandatory registration:** all religious groups must register with the government before conducting any kind of activities, even those classified as “basic” in RoRB standards and therefore regarded to be exempt from registration and preapproval by the state. Legal registration and existential recognition are amalgamated; as a result, the registration as an association is described as equating to official recognition but indeed this does not equate to the degree of recognition received by Sunni Islam as the state denomination. This in turn creates a vertical recognition system in which a hierarchy of recognised and registered statuses emerge.
- **Procedure:** the Ministry of Interior (MOI) is responsible for handling the registration of religious groups in the country. The Ministry of Religious Affairs (MRA) is also involved in the process but the MOI makes the final decision on registration applications. Registration procedures are primarily dedicated to registering Islamic groups.
- **Confinement:** registration is split geographically between national-level, provincial-level and local-level associations. Provincial and local registration procedures are similar to one another but a strict policy of confinement is imposed meaning that an association may only registered in the province or locality in which it is registered. For example, an association registered at the wilaya (provincial) level is confined to that specific wilaya. Furthermore, non-Islamic religious services are confined to the buildings where they are registered for the exclusive purpose of religious practice.
- **Procedure for non-Islamic events:** a request for permission to observe special non-Islamic religious events must be submitted to the relevant wali (governor) at least five days before the event, and the event must occur in buildings accessible to the public. Requests must include information on three principal organisers of the event, its purpose, the number of attendees anticipated, a schedule of events, and its planned location. The event’s organisers must be identified and must also obtain a permit from the wali. The wali may request the organisers move the location of an event or deny permission for it to take place if he

deems it would endanger public order or harm “national constants,” “good mores,” or “symbols of the revolution.” If unauthorised meetings go forward without approval, police may disperse the participants. Individuals who fail to disperse at the behest of police are subject to arrest and a prison term of two to 12 months under the penal code.

- **State-censorship of Islam:** the government must authorise all imams preaching in the mosques in the country and will issue fines and imprisonment for any imams that preach without preapproval from the government.
- **Procedure for non-Islamic groups:** as intimated earlier, a separate procedure is establishing for registering non-Islamic groups. The National Commission for Non-Muslim Religious Groups is responsible for registering all non-Muslim groups. The MRA presides over this Commission as do members from various governmental departments and ministries, including the police force, the military, and foreign affairs ministers. Non-Muslim religious leaders report no contact with the government committee. Oversight from multiple ministries is likely to ensure the applicant group fits into normative forms of religious activity and belief which infringes RoRB standards.
- **State preapproval:** the law states the government must approve any modification of structures intended for non-Islamic collective worship.
 - MRA officials again said the government did not regularly prescreen and approve sermons before imams delivered them during Friday prayers. They also stated the government sometimes provided preapproved sermon topics for Friday prayers to address the public’s concerns following major events or to encourage civic participation through activities such as voting in elections. The MRA said it did not punish imams who did not discuss the suggested sermon topics.
- **Legal destination:** religious groups are legally classified under the designation of association.

- **Informational requirements:** the amount of informational requirements mandated depends on the kind of registration the group seeks:
 - **Local or provincial registration:** registrants must provide documents proving their leader's identities, addresses, and other biographic details; registrants must provide police and judicial records to prove their good standing in society; submit the association's constitution signed by its president; and submit documents indicating the location of its headquarters;
 - **National registration:** in addition to the local/provincial requirements, national-level registration requires information of founding members' identities, addresses, and biographic details; also, proof of having no criminal past, show that founding members reside in at least one quarter of the country's provinces, an constitution signed by the group's president, and indicate location of group's headquarters.
- **Regulatory interval:** the law requires the MOI to provide a receipt for the application once it has received all required documentation. The ministry has 60 days to respond to registrants following the submission of a completed application. If the ministry does not respond within the 60-day timeframe, the application is automatically approved, and the receipt may be used as proof of registration; this demonstrates an example of self-regulation. However, if the ministry considers the application incomplete, it does not issue a receipt for the application.
- **Registration benefits:** the legal ability to own property, open bank accounts, convene gatherings, or raise funds.
- **Denial of registration:** the law grants the government full discretion in making registration decisions but provides registrants an opportunity to appeal a denial to an administrative tribunal.
- Some religious groups stated they functioned as registered 60 days after having submitted their application, even though they had not received a Ministry of Interior confirmation. Such groups stated, however, that service providers such as utilities and banks refused to provide services without proof of registration. As a result, these

groups faced the same administrative obstacles as unregistered associations. They also had limited standing to pursue legal complaints and could not engage in charitable activities, which required bank accounts.

- Numerous Christian leaders stated they had no contact with the National Commission for Non-Muslim Worship, despite its legal mandate to work with them on registration. A Christian NGO and Christian publication stated that the government disproportionately targeted Protestant groups for unfavourable treatment. Some Christian leaders in the country attributed this to the emphasis of some Protestant groups on proselytising and conversion, as well as to the EPA's primarily Algerian composition.
- **Reregistration:** under the Associations Law passed in 2012, the government required all organisations previously registered to reregister.

- Evaluations

- Mandatory registration of religious groups means an automatic classification as Restrictive under the Bielefeldt provision.
- Splitting registration procedures between Muslim and non-Muslim groups is impermissible according to RoRB standards.
- The extensive informational requirements for legal registration at both local, provincial and national levels are impermissible.
- The policy of confinement that is imposed is also impermissible as is the division of registration procedures into local, provincial and national levels.
- Self-regulation in the form of instituting a regulatory interval for legal registration procedures is welcomed.
- Opportunity to appeal a registration denial is welcomed.
- Mandatory reregistration infringes RoRB conditions.

Law and policy on religion and belief

- Self-identification

- **Religious conversion:** by law, individuals who convert from Islam to another religion are ineligible to receive an inheritance via succession.

- Communal activity
 - **Forced closures:** at year's end, there were a total of 20 EPA churches that the government had closed, including 16 that the government had physically sealed off. The government said the churches it closed were operating without government authorization, illegally printing evangelical publications, and failed to meet building safety codes.

 - **Foreign missionary activity:** church groups continued to say the government did not respond in a timely fashion to their requests for visas for foreign religious workers and visiting scholars and speakers, resulting in de facto visa refusals. Catholic leaders continued to say their greatest issue with the government was the long and unpredictable wait times for religious workers' visas.
 - In February, Catholic Church leaders reported that COVID-19-related entry requirements further exacerbated existing visa issues related to the Church's foreign clergy. In January, for example, a Nigerian priest bound for a parish in Oran received his visa, but the government subsequently denied his entry request.
 - In February, the government denied the Anglican canon's residency permit and visa renewals. The MRA told him that he was not eligible to renew his visa and had to submit a new application. The MRA also said the Cairo-based Anglican bishop must submit a letter reappointing the canon to his position. The government approved the canon's visa in May but by year's end had not approved a visa for his successor.
 - In April, the foreign-based Methodist bishop overseeing the UMC in the country stated that the UMC "gave up" on requesting clergy visas for its pastors. He said that UMC-affiliated clergy were regularly denied tourist visas. The last official UMC visit to the country took place in 2013.

- **Hieronymy:** the importation of religious publications or devotional items is permitted in Algeria, both for personal and propagational use but items for intended propagational use must be authorised by the MRA beforehand in accordance with a 2017 law on the importation of religious materials. It remains unclear how strict the MRA is when granting importation to non-Islamic materials or even Islamic materials that may not align to mainstream Islam (e.g. Ahmadiyya literature). Laws surrounding proselytism and propagation of non-Islamic literature perhaps demonstrate the strictness of the MRA when it comes to importation. The general rule for propagational use of religious materials is 20 or more texts or items in one importation.
 - In April, EPA leaders reported that the MRA routinely limited the number of Bibles it approved for importation. For example, in late 2020, the Biblical Society, which imported religious texts for all Christian denominations, requested to import 300 Bibles, and the MRA approved 30. The EPA told the MRA there were more than 100,000 Christians in the country and that they therefore needed more than 30 Bibles. The MRA responded by asking for a list of the names and exact number of Christians living in each community, village, and city. The EPA declined to provide this information, and the MRA increased the approved number of Bibles by an additional 5 percent, i.e., by one or two Bibles. The EPA said the import fees cost more than the Bibles themselves but that it would continue to import Bibles only through official channels to avoid legal problems.
- **Proselytism:** the law does not prohibit conversion from Islam, but proselytising of Muslims by non-Muslims is a criminal offence.
 - On November 16, authorities charged EPA President Chalah and three Christian members of his leadership team with proselytising on social media, practicing non-Muslim religious rites without authorization, and inciting an unarmed gathering. Authorities postponed their trial to 2022.

- **Religious literature and other religious materials:** making, storing, or distributing printed documents or audiovisual materials with the intent of “shaking the faith” of a Muslim is also illegal and subject to the same penalties.
 - The law gives authorities broad power to ban books that run counter to the constitution, “the Muslim religion and other religions, national sovereignty and unity, the national identity and cultural values of society, national security and defense concerns, public order concerns, and the dignity of the human being and individual and collective rights.” In accordance with a governmental decree, a commission within the MRA reviews importation of the Quran. The decree requires all applications to include a full copy of the text and other detailed information about the applicant and text. The ministry has three to six months to review the text, with the absence of a response after that time constituting a rejection of the importation application. A separate decree covering religious texts other than the Quran states, “The content of religious books for import, regardless of format, must not undermine the religious unity of society, the national religious reference, public order, good morals, fundamental rights and liberties, or the law.” The importer must submit the text and other information, and the ministry must respond within 30 days. A nonresponse after this period is considered a rejection. Religious texts distributed without authorization may be seized and destroyed.
 - On June 6, a judge sentenced Christian Pastor Rachid Seighir to a one-year suspended sentence and a 200,000-dinar (\$1,400) fine for “shaking the faith of Muslims” with Christian literature at his bookstore. On June 2, the authorities ordered the sealing of Seighir’s Oratoire City Church in Oran. Bookstore salesman Nouh Hamimi also received a one-year suspended sentence and a fine of 200,000 dinars (\$1,400) in the same case.
- Penal code
 - **Proselytism:** the law prescribes a maximum punishment of one million dinars (\$7,600) and five years’ imprisonment for

anyone who “incites, constrains, or utilises means of seduction intending to convert a Muslim to another religion; or by using establishments of teaching, education, health, social, culture, training...or any financial means.”

- **Religious literature and other religious materials:** the law prescribes a maximum punishment of one million dinars (\$7,600) and five years’ imprisonment for making, storing or distributing non-Islamic religious literature and other materials.
- Facilitation of religion or belief
 - **Ombudsmanship:** the CNDH is responsible for monitoring and evaluating human rights issues, including matters related to religious freedom. The law authorises the CNDH to conduct investigations of alleged abuses, issue opinions and recommendations, conduct awareness campaigns, and work with other government authorities to address human rights issues. The CNDH may address religious concerns to appropriate government offices on behalf of individuals or groups it believes are not being treated fairly. The CNDH does not have the authority to enforce its decisions but may refer matters to the relevant administrative or criminal court. It submits an annual report to the President, who appoints the committee’s members.

Social dimensions of RoRB

- **Ahmadiyya Muslims:** on August 2, Ahmadiyya Muslim community leaders reported that the court tried and convicted two of its community members in Adrar on charges of holding an unauthorised gathering. Their Algiers-based lawyer was unable to attend the court proceedings due to COVID-19-related travel restrictions, and the judge refused the defendants’ request to postpone the proceedings. The authorities first imprisoned the two Ahmadis in November 2020, where they remained in pretrial detention until their trial. The court sentenced them to six months’ imprisonment and a 50,000 dinar (\$360) fine.

- In October, Ahmadi Muslim leaders reported courts had convicted several of its community members on charges of holding unauthorised gatherings and unauthorised fundraising. In Batna, a court sentenced an Ahmadi to one year's imprisonment and a 50,000 dinar (\$360) fine; in Tizi Ouzou, a court sentenced an Ahmadi to two months' imprisonment and a 20,000 dinar (\$140) fine; and in Constantine and Tiaret, the court convicted two other Ahmadis who were awaiting their sentences.
- NGOs and Ahmadi Muslim religious leaders said the group remained unregistered because the Ministry of Interior never provided the Ahmadi community with a receipt acknowledging a completed registration application that the community submitted to the government in 2012 to reregister the group as the law required. In September, the Ministry of Interior said it had never received a registration application from the Ahmadiyya Muslim community, and Ahmadi leaders reported they were preparing to file another application.
- In September, Ahmadi Muslim leaders said they sent a letter requesting to meet with President Tebboune about their registration problems but had not received a response.
- In September, the Ahmadi community again reported administrative difficulties and harassment since the community was unregistered and therefore unable to meet legally and collect donations. Members of the community stated that after their initial attempt in 2012, the community again tried to reregister with the MRA and Ministry of Interior as a Muslim group in 2016 and in 2020, but the government refused to accept those applications because it regarded Ahmadis as non-Muslims. The government said in 2019 it would approve the community's registration as non-Muslims, but the Ahmadis stated they would not accept registration as non-Muslims.
- **Catholics:** according to Catholic Church officials, the government changed the procedure in January for applying for authorization to conduct non-Islamic religious events. In previous years, the Church submitted its written requests to the local police station, which then stamped the request with a receipt to show the request was registered and approved. Beginning in January, the Church said police stations stopped issuing the receipts. Church

leaders also said the police began frequenting one church to inquire about its activities, even though Church officials provided written notification of those activities to the local police.

- Catholic and Protestant groups continued to state the delays significantly hindered religious practice. One religious leader said the lack of visa issuances was a major impediment to maintaining contact with the Church's international organization. Higher-level intervention with officials responsible for visa issuance by senior MRA and Ministry of Foreign Affairs officials at the request of religious groups sometimes resulted in the issuance of long-term visas, according to those groups.
- **Christians:** some Christian citizens said they continued to use homes or businesses as "house churches" due to government delays in issuing the necessary legal authorisations. Other Christian groups, particularly in the country's primarily Berber Kabylie region, reportedly held worship services discreetly. According to media reports, authorities continued to arrest, jail, and fine Christians on charges of proselytising by non-Muslims, which prompted churches to restrict some activities, such as the distribution of religious literature and holding events in local community centres that Muslims might attend.
- On June 30, a court in Ain Defla charged Christian convert Foudhil Bahloul with distributing Bibles, printing religious brochures to distribute to Muslims, and "agitating the faith of Muslims." Bahloul had been in detention since his initial arrest in April for allegedly receiving donations illegally. At that time, police did not question him about the June 30 charges but reportedly questioned him about his religion and decision to convert from Islam. They also searched his house and confiscated religious materials and his identification documents. On July 7, the court sentenced Bahloul to six months' imprisonment for illegally accepting donations and for proselytising. On December 7, the court of appeal in Ain Defla sentenced Bahloul to a six-month suspended prison term and a fine of 100,000 dinars (\$720).
- **Ibadi Muslims:** the MRA said it did not view Ibadis as a minority group and considered the Ibadi religious school a part of the

country's Muslim community. Muslim scholars stated Ibadis could pray in Sunni mosques, and Sunnis could pray in Ibadi mosques.

- **Methodists and Seventh-day Adventists:** the EPA, the United Methodist Church (UMC), and the Seventh-day Adventist Church said they still had not received responses from the Ministry of Interior to their 2012 and subsequent applications to reregister. According to a pastor associated with the EPA, the Church resubmitted its 2014 registration application in 2015 and 2016, but despite several follow-ups with the government, the Ministry of Interior never accepted its application. None of the churches received receipts for their registration attempts. In March, the EPA said the MRA had told it that the Ministry of Interior was responsible for registration-related decisions and that the MRA could not get involved with the EPA's registration issue.
 - In April, EPA leaders reported the Church had sent four letters to President Tebboune requesting to meet with the MRA to address their registration problem. At year's end, they said they had not received a response.

Overview

- The systems for recognition and registration are amalgamated and so the two terms are used interchangeably not in alignment with the differentiated definitions of this project; the registration of an organisation or denomination does not equate to the same level of recognition received by the state denomination of Sunni Islam.
- Having registration be split between national and provincial levels with the gaining the former being based on population distribution severely inhibits denominations from receiving nationwide recognition and protection for their activities, thus ensuring the continuation of the Sunni hegemony.
- The Bielefeldt provision is contravened by mandatory registration and the requirement of worship and practice to take place in state-approved locations.
- Excessive information required for registration suggests a potential for the misuse of the information at a later date and a restrictive registration process.

- Overwhelming Sunni Muslim population suggests a variance with the veracity.
- Both Protestant churches and the Ahmadi community have been particularly effected by government restrictions in recent years.
- Although the law does not prohibit conversion from Islam, the influence of normativism suggests that in doing so one would receive significantly social pressures, hurdles and ostracism if they do not re-convert.

Positive elements

- Nil.

Recommendations

- Dismantlement of the abusive uses of recognition in the country and the body of laws that perpetuate this misuse.
- Stop the policy of confinement, reduce informational requirements, and dismantle the vertical recognition system.

Restriction tools implemented

- Ambiguity as to the degree of involvement and authority of the MRA.
- Censorship of minorities.
- Confinement of provincially-recognised groups.
- Criminalisation of non-Islamic proselytism with significant fines and years-long imprisonments.
- Criminal punishments for non-belief or blasphemy.
- False claim to freedom of religion or belief.
- Inappropriate involvement of military generals and leaders of the police force in the registration process for religious and beliefs groups and denominations.
- Mandatory registration.
- Police raids on non-registered groups or activists (e.g. the case of Yacine Mebarki).
- Segmentation of registration to national and provincial levels.
- State privilege is extended to Sunni Islamic groups.

- State denomination (as a form of state religion).
- Unnecessary bureaucracy.

History of RoRB classification

- Since the first RoRB Index in 2021, Algeria has been classified Censorious.

American Samoa — Apathetic

RoRB and national identity

- American law on religious recognition is not applied in American Samoa.
- American Samoa is a secular territory.

Recognition law

- Structures and procedures for existential recognition
 - There is limited information on existential recognition for religions in American Samoa for this First Edition of *Recognition of Religion or Belief*.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in American Samoa as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of concern to RoRB standards when it comes to the topic of self-identification in American Samoa.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into American Samoa is permitted without restriction, both for personal and propagational use.
- Penal code

- There is nothing of concern to RoRB standards in the present incarnation of the territory's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in American Samoa to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in American Samoa for this First Edition of *Recognition of Religion or Belief*.

Overview

- A variety of Christian and non-Christian denominations operate in the U.S. territory.
- Non-percolative recognition is in effect.

History of RoRB classification

- Due to the present lack of information on RoRB conditions in American Samoa and due to it being a territory in association with the United States, a country classified Apathetic, the territory has also been classified Apathetic in the SRR since the first RoRB Index in 2021.

Andorra, Principality of — Restrictive

RoRB and national identity

- The Constitution of Andorra makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice.
- The Principality of Andorra is a secular state.
- The government extends state privilege to the Catholic Church but does not establish Catholicism as the state denomination.

Recognition law

- Structures and procedures for existential recognition
 - There is no distinct procedure for the existential recognition of non-Catholic religions in the Principality.
 - **State privilege:** the Catholic Church continued to receive special privileges not available to other religious groups. The government paid the salaries of the eight Catholic priests serving in local churches and granted all foreign Catholic priests citizenship for as long as they exercised their functions in the country.
- Evaluations
 - The lack of existential recognition points to the amalgamation of recognition and registration in the Principality.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** religions other than Catholicism are not extended the opportunity to gain legal status as religious groups in the Principality.
 - **Optional registration:** religious groups can instead register as cultural organisations, a secular designation. A register is kept of these registered cultural organisations.

- **Legal designation:** cultural organisation is the primary legal designation of religious groups in the law (except for the Catholic Church).
 - **Registration benefits:** groups become eligible to build places of worship and to seek government financial support for community activities.
 - **Informational requirements:** statutes and foundational agreement, a statement certifying the names of persons appointed to the board or other official positions in the organisation, and a patrimony declaration that identifies the inheritance or endowment of the organisation.
- Evaluations
 - The persisting policy of non-registration of non-Catholic groups as religious groups is impermissible to RoRB standards.
 - Stipulatory registration is permissible but forcing religious groups to register under the secular designation “cultural organisation” is impermissible.
 - The state privilege extended to the Catholic Church is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is not presently anything of particular concern to RoRB standards in regards to self-identification of belief identity in Andorra as of this First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** the government continued to maintain a policy of issuing religious work permits for foreigners performing religious functions only to members of the Catholic Church. Foreign religious workers belonging to other groups said they could enter the country with permits

for other positions such as schoolteachers or business workers and carry out religious work without hindrance.

- **Hieronymy:** the importation of religious materials or devotional items into Andorra is permitted without restriction, both for personal and propagational use.
- Penal code
 - In the present incarnation of the Andorran penal code, there is nothing of particular concern to RoRB standards as of this First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** the *Raonador del Ciutadà* is the title for the ombudsman of Andorra.

Social dimensions of RoRB

- **Muslims:** the Muslim community has negotiated for years with the Andorran government to establish a mosque for the principality's roughly 2,000 Muslims yet, as of 2022, there still remains no mosque in all Andorra.
- **Jews and Muslims:** the government has organised meetings with Jewish and Muslim communities to discuss the possible establishment of a special cemetery where those groups could conduct burials according to their customs and beliefs, but there has been little progress on the proposal.

Overview

- The recognition system is misused in the country as it is skewed towards one denomination; opportunities for a lesser level of recognition in the form of registration as cultural organisations is extended to non-Catholic groups and denominations; therefore, recognition and registration are differentiated although only one

denomination has access to the former while all other groups have the latter option only.

- For a Western European country, Andorra's approach to religious recognition is fairly restrictive. When considering Bielefeldt's recommendations on the registration of religious activity, there are some inconsistencies, namely the fact that religions other than Catholicism haven't the opportunity to gain the same status as Catholicism in the country's legal framework.
- No reports exist as to discrimination or abuse based on belief or practice.
- A lack of provisions and the stagnation of negotiations for Muslims and Jews in terms of burial sites is to be monitored.

Recommendations

- Either disestablish the privileges of the Catholic Church or extend these privileges to all religious groups that seek them.
- Reduce borderline excessive informational requirements and establish registration procedures for non-Catholic religious groups.

Restriction tools implemented

- Religious favouritism in favour of the Roman Catholic Church.
- Stipulatory registration.

History of RoRB classification

- Andorra has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Angola, Republic of — Restrictive

RoRB and national identity

- The Constitution of Angola makes an explicit claim to freedom of religion or belief, a claim the government regularly infracts in practice.
- The Republic of Angola is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems and GBoBs in Angola.
- Evaluations
 - The lack of existential recognition for religions in the country points to an issue in which existential recognition and legal registration are amalgamated and in which the former receives little to no provision.

Registration law

- Structures and procedures of legal registration
 - **Broad mandatory registration:** the government requires that all religious groups register with it before conducting any kind of religious activity in the country, even those activities classified “basic” in RoRB standards which should not need prior registration or government approval in order to be conducted in accordance with international human rights law. Legal registration and existential recognition are amalgamated as registration results in “legal recognition”.
 - **Procedure:** the Ministry of Justice and Human Rights handles the administrative aspects of the process which is overseen by the Ministry of Culture through its National Institute for Religious Affairs. The Ministry of Culture

through its National Institute for Religious Affairs (INAR) is the adjudicatory authority for the registration process and has an oversight of all religious activities in the country.

- **Informational requirements:** their organisational structure, location, methods and schedule of worship, financial resources, and planned construction projects.
- **Signature quota:** at least 60,000 member signatures from legal residents to apply for registration. Each signature and resident declaration must be notarised separately.
 - INAR reported that the government did not officially recognize any new religious organization during the year and had not done so since 2000. Unregistered religious groups continued to state that the notary and residential declaration requirements (60,000 total signatures, including 1,000 signatures from each of the country's 18 provinces), which they estimated to cost approximately 3,300 kwanza (\$6) per signature, were too expensive and burdensome for their congregations. In addition to the signature requirement, the large number of undocumented residents and an unreliable residential registry system continued to present obstacles to registration, according to religious group leaders.
- **Signature-geographic quota:** at least 1,000 signatures originate from members residing in each of the country's 18 provinces. Each signature and resident declaration must be notarised separately.
- **Qualifications:** the law also establishes qualification requirements for clergy and requires religious doctrine to conform to the principles and rights outlined in the constitution.
- **State definitions of religion:** the INAR, which is led by a religion minister, assists religious groups through the registration process and analyses religious doctrine to ensure that it is consistent with the constitution.
- **Registration benefits:** eligibility to purchase property, hold religious events at such property, and to act as a juridical person in the court system.
- **Registration rate:** 81 religious groups are currently recognised in Angola; however, there are more than 1,100 unrecognised religious groups in the country; the

government has not recognised any new religious groups since 2004.

- **Unregistration:** while the law states the government may close the premises of religious groups that do not meet the registration requirements, government officials generally allowed groups with pending applications to hold religious services.

- Evaluations

- Although the requested informational requirements do not seem excessive, they could be easily misused against groups that have provided such information in order to control them; any instance in which this information is misused makes all the informational requirements requested as impermissible to RoRB standards.
- The imposition of a signature quota, which is one of the harshest in the world currently, is impermissible to RoRB standards as is the imposition of a specific form of signature quota called a signature-geographic quota.
- The low registration rate in the country demonstrates systematic misuse of registration procedures and undermines the importance of recognition as a whole.
- The fact that the government has not recognised any new groups since 2004 is impermissible to RoRB standards.
- The state's analysis of religious doctrine to ensure its compliance with the Constitution seems ambiguous and open to misuse to deny registration or control unfavoured groups.

Law and policy on religion and belief

- Self-identification

- There is not presently anything of particular concern to RoRB standards in regards to self-identification of belief identity in Angola as of this First Edition of *Recognition of Religion or Belief*.

- Communal activity

- **Hieronymy:** the importation of religious materials or devotional items into Angola is permitted without restriction, both for personal and propagational use.
- Penal code
 - In the present incarnation of the Angolan penal code, there is nothing of particular concern to RoRB standards as of this First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Angola to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Misrecognition:** in January, the government recognized new leadership of the IURD temples separate from leaders loyal to IURD's Brazilian parent denomination. This followed a 2020 dispute between Brazilian and Angolan IURD pastors, which included allegations of tax fraud and money laundering made by Church members and pastors against the Church's Brazilian leadership. Based on those allegations, the government closed all IURD temples in 2020. In March, the government allowed 11 temples under the new leadership to reopen. As of December, INAR reported that 340 IURD temples remain closed pending conclusion of criminal investigations and court cases. In May, the government expelled 55 Brazilian Church leaders who were not members of the newly recognized local IURD denomination. During the year, leaders loyal to IURD's Brazilian denomination across the country filed multiple lawsuits in provincial courts to regain control of the denomination. The lawsuits were pending at year's end. Some IURD Church members demonstrated against the government closure of their churches.
- **Muslims:** the government continued not to recognise any Muslim groups or issue any licenses to Muslim groups to practice their religion legally. Requests for official registration submitted in

2019 by two Muslim organizations, CISA (Islamic Community of Angola) and COIA (also translated as the Islamic Community of Angola), remained among the 97 pending applications. INAR officials said the primary reason Islamic groups had not been recognized was their lack of a single governing body. In July, COIA leadership held a congress to form the Islamic Council of Angola (CONSIA) to satisfy this requirement but failed to gain enough participation from CISA for INAR to consider it as the single body governing all mosques in the country. In the past, government officials stated that some practices allowed by Islam, such as polygamy, contradicted the constitution.

Overview

- Recognition and registration are amalgamated and the terms are used interchangeably.
- Angola's stipulation of mandatory registration contravenes the Bielefeldt provision that registration of one's religious activities should be at the discretion of the group rather than mandated by the state.
- Enforcement of the mandatory registration rule seems to fluctuate with reports stating that many Pentecostal churches remain unregistered; the stagnation of the registration system since 2004 is demonstrative of the government's lack of commitment to establishing a dynamic system for both recognition and registration of religion and belief.
- Restrictive requirement for registration such as certain membership quotas and excessive information about group leaders and activities is further demonstration of the Angolan government's restrictive approach to the religious activity of its citizens.
- The subjective "consistency with the constitution" provision could be widely misused to prohibit non-offending groups.
- There are no registered Muslim groups and this community sees numerous institutional hurdles to recognition.

Positive elements

- Nil.

Recommendations

- Dismantle signature quotas of all kinds.
- Begin to register new religious groups.
- Mandatory registration must be abolished.

Restriction tools implemented

- Ambiguity caused by stagnation in registration approvals.
- Exclusionary restriction tool.
- Mandatory registration.
- Subjective provisions that may be misused for restrictive purposes.
- Unnecessary bureaucracy during the registration process.

History of RoRB classification

- Angola has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Anguilla — Apathetic

RoRB and national identity

- UK law on religious recognition is not applied in Anguilla.
- Anguilla is a secular territory.

Recognition law

- Structures and procedures for existential recognition
 - There is limited information on existential recognition for religions in Anguilla for this First Edition of *Recognition of Religion or Belief*.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in Anguilla as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of concern to RoRB standards when it comes to the topic of self-identification in Anguilla.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Aruba is permitted without restriction, both for personal and propagational use.
- Penal code

- There is nothing of concern to RoRB standards in the present incarnation of Anguilla's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Anguilla to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Anguilla for this First Edition of *Recognition of Religion or Belief*.

Overview

- Unsure of the existence of a recognition system – perhaps connected to the United Kingdom.

Positive elements

- Nil.

Recommendations

- Nil.

Restriction tools implemented

- Non-percolative recognition.

History of RoRB classification

- Anguilla has been classified Apathetic according to the SRR since the first iteration of the RoRB Index in 2021.

Antigua and Barbuda — Receptive

RoRB and national identity

- The Constitution of Antigua and Barbuda makes an explicit claim to freedom of religion or belief.
- Antigua and Barbuda is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are no distinct procedures for existential recognition in Antigua and Barbuda.
- Evaluations
 - The lack of existential recognition for belief systems and belief groups in the country demonstrates an issue of the amalgamation of registration and recognition.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** registration is all but stipulatory (meaning that it does not interfere with "basic religious activities") except when it comes to a religious group owning or building property; as the ownership of property is considered part of the basic activities of any religious group and conducting this leading in Antigua and Barbuda is dependent upon a group's registration, the registration system is classified pseudo-mandatory.
 - **Procedure:** religious groups are required to file an online form which will be sent to the Inland Revenue Department.
 - **Registration benefits:** tax and duty-free concessions and eligibility to own, build and renovate property.
 - **Informational requirements:** a description of the group's activities.

- Evaluations
 - Stipulatory registration is permissible in RoRB standards as long as the procedure is not onerous or is not misused against groups that the government views as unfavourable.
 - Informational requirements requested are quite broad; more specificity on what a sufficient “description” of a group’s activities would include is required in order to make a full judgement of whether these informational requirements comply with RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of concern to RoRB standards when it comes to the topic of self-identification in Antigua and Barbuda.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Antigua and Barbuda is permitted without restriction, both for personal and propagational use.
 - **Public position requirements**: the constitution prohibits members of the clergy from running for elected office.
- Penal code
 - There is nothing of concern to RoRB standards in the present incarnation of Antigua and Barbuda’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Antigua and Barbuda to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Antigua and Barbuda for this First Edition of *Recognition of Religion or Belief*.

Overview

- Although the government of Antigua and Barbuda is receptive to religious groups establishing activities, it does not seem to possess a dynamic recognition system at this time.
- There is not an established system for recognition although one for registration does exist.

Positive elements

- Freedom of religion or belief is broadly upheld by the government.

Recommendations

- Establish clearer differentiation between registration and recognition.
- Establish a recognition system that is receptive to both established groups and to new religious movements.

Restriction tools implemented

- A dormant law on blasphemy exists.
- Lack of a recognition system.
- Stipulatory registration.

History of RoRB classification

- Antigua and Barbuda was classified Apathetic in the SRR for the first iteration of the RoRB Index in 2021 but was moved up to Receptive classification for the 2022 RoRB Index.

Argentine Republic — Restrictive

RoRB and national identity

- The Constitution of Argentina makes an explicit claim to freedom of religion or belief, a right the government generally upholds in practice.
- The Argentine Republic is a secular state.
- However, the Constitution does extend state privilege to Catholicism, stating that it will support the denomination but does not explicitly establish it as the state denomination.

Recognition law

- Structures and procedures for existential recognition
 - Although the Catholic Church receives state privilege, it is claimed that the privileges available to it are available to all other religious groups if they complete registration. The Catholic Church is also exempt from any registration procedures to continuing receiving its benefits.
 - Although a claim of equal recognition is made, this is not regarded to be the case in reality with the Catholic Church receiving more governmental support and closer governmental ties than other groups.
- Evaluations
 - State privilege is impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Quasi-mandatory registration:** registration is not mandatory for religious groups but is a prerequisite for receiving tax-exempt status and other benefits. There exists a two tiered system of registration in the country with the primary tier does not receive as many benefits as the secondary tier.

Registration procedures are classified quasi-mandatory because in some local jurisdictions, hosting public events and activities which is often a central component of a religion which should not require registration to conduct according to RoRB standards. Registration is not required for private worship and other private religious activities however.

- **High registration rate:** the government has formally acknowledged more than 5,300 non-Catholic organisations, granting them tax-exempt status and other benefits.
- **Primary procedure:** non-Catholic groups register with the Secretariat of Worship which exists within the Ministry of Foreign Affairs. To register, religious groups must have a place of worship, an organisational charter, and an ordained clergy. – These are not inclusive of non-Catholic religions that may not feature these kinds of characteristics and hence, these requirements are not to RoRB standards.
 - **Registration benefits:** to receive tax-exempt status, to apply for visas for religious officials, to hold public activities, and “other benefits.”
- **Secondary procedure:** to receive the same kinds of benefits bestowed to the Catholic Church, a religious group must register with the General Inspectorate of Justice (IGJ).
 - **Legal designation:** religious groups following this second procedure of registration are designated civil associations.
 - **Registration benefits:** tax-exempt status, institutional privileges such as school subsidies, significant autonomy for parochial schools, visas for religious officials, licensing preferences for radio frequencies, and the ability to hold public activities.
 - **Monitorial requirements:** once registered, an organisation must report to the secretariat any significant changes or decisions made regarding its leadership, governing structure, size of membership, and the address of its headquarters.
- **Localised restrictions:** city authorities may require groups to obtain permits to use public parks for events, and they may require religious groups to be registered with the Secretariat of Worship to receive a permit.

- **Registration rate:** the government has registered more than 5,300 non-Catholics religious organisations.
- Evaluations
 - Quasi-mandatory registration is impermissible to RoRB standards.
 - The high registration rate demonstrates that procedures are not onerous and that the government supports registrants through the application process.
 - However, instituting more than one procedure for registration is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of concern to RoRB standards when it comes to the topic of self-identification in Argentina.
- Communal activity
 - **Foreign missionary activity:** foreign officials of registered religious groups may apply for a specific visa category to enter the country. The validity period of the visa varies depending on the purpose of the travel. Foreign missionaries of registered religious groups must apply to the Secretariat of Worship, which in turn notifies immigration authorities to request the issuance of appropriate documents.
 - **Hieronymy:** the importation of religious materials or devotional items into Argentina is permitted without restriction, both for personal and propagational use.
 - **Religious education:** public education is secular, and religious minorities express their faiths freely.
- Penal code

- There is nothing of concern to RoRB standards in the present incarnation of Argentina’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the position of *Defensor del Pueblo de la Nación Argentina*, which is the position of ombudsman in Argentina, has been vacant since 2009 when Eduardo René Mondino’s period in office ended.
 - INADI investigates suspected and reported incidents of discrimination based on religion. INADI is not authorized to enforce recommendations or findings, but its reports may be used as evidence in civil court. The agency also supports victims of religious discrimination and promotes proactive measures to prevent discrimination. INADI produces and distributes publications to promote religious tolerance.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Argentina for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated, not ideally differentiated.
- The Catholic Church is automatically recognised meaning that it needn’t keep registered with the Secretariat of Worship.
- The reality of the claim that registered groups receive the same benefits as the Catholic Church must be investigated further to determine its validity.
- In addition to the state privilege extended to the Catholic Church, the stipulation that only registered groups may engage in the subjectively worded “public activities” makes Argentina restrictive.
- The stipulation that a group needs a place of worship before it can pursue registration is evidential of a lack of existential

recognition for belief systems and denominations as distinct from organisations and places of worship.

- The requirement for non-Catholic groups to register with the General Inspectorate of Justice in addition to an initial registration with the Secretariat of Worship demonstrates a further example of the inequality of the system and its restrictivity.
- The stipulation of reporting to the Secretariat of internal religious and organisational affairs is not part of the mandate of genuine recognition.

Positive elements

- The government broadly upholds freedom of religion or belief for minorities.

Recommendations

- Establish two distinct systems, one to deal with existential recognition and another for legal registration as per the ideals of recognitionism.
- Dismantle excessive monitorial requirements and qualifications as well as the vertical registration system.

Restriction tools implemented

- Ambiguity exists as to the full series of requirements for registration.
- Mild restrictivity when it comes to requirements for registration.
- Religious favouritism.
- State privilege for the Roman Catholic Church.
- Stipulatory registration.
- Two-pronged registration process for non-Catholic groups borders on being inappropriate.

History of RoRB classification

- Argentina has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Armenia, Republic of — Restrictive

RoRB and national identity

- The Constitution of Armenia makes an explicit claim to freedom of religion or belief, a claim the government sometimes infracts upon in practice.
- The Republic of Armenia is a secular state.
- The Armenian Apostolic Church is extended state privilege although it is not established as the state denomination.

Recognition law

- Structures and procedures for existential recognition
 - **Recognised national minorities:** Assyrians, Kurds, Russians and Yezidis.
 - **Non-recognition:** there are no procedures currently outlined by the government about a group receives “national minority” status.
 - **State privilege of the Armenian Apostolic Church:** the law allows the AAC free access to, and the right to station representatives in, hospitals, orphanages, boarding schools, military units, and places of detention, while other religious groups may have representatives in these locations only with permission from the head of the institution. The law also stipulates the state shall not interfere with the AAC’s exclusive right to preach freely and spread its beliefs throughout the entire territory of the country. The AAC has the right to participate in the development of the syllabi and textbooks for the HAC course and to define the qualifications of the teachers.
- Evaluations
 - The lack of procedures for achieving “national minority” status demonstrates Armenia as a closed system of recognition; policies of non-registration are impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not explicitly mandate that religious groups register with it, the fact that in order for religious groups to conduct many of the activities classified “basic” — activities that should be able to be conducted without prior registration or notification of the government — by RoRB standards, means that registration is in effect mandatory. The process of registration is essentially to determine the legal entity status of the religious group.
 - **Procedure:** a religious group must submit to the Office of the State Registrar the content assessment made by the Division of Religious Affairs and National Minorities.
 - **National minorities:** the law states that those groups associated with a community designated national minority status are exempt from having to undergo a content assessment.
 - **Qualifications:** an assessment from the Division of Religious Affairs and National Minorities must be made stating its expert opinion whether the community complies with the requirements of the law that it be based on “historically recognised holy scripture.” The religious group must be “free from materialism and [be] of a spiritual nature” and must follow a doctrine espoused by a member of the “international modern system” of religious communities. The law does not define “free from materialism” or state which religious communities are part of the “international modern system.” This assessment must then be presented to the Office of the State Registrar (signalling dual registration). Recognised national minorities are exempt from such registration requirements.
 - **Membership quota:** at least 200 adult citizen members.
 - **Registration benefits:** eligibility to own or rent property or open a bank account; may minister to the religious and spiritual needs of its faithful; perform religious liturgies, rites, and ceremonies; establish groups for religious

instruction; engage in theological, religious, historical, and cultural studies; train members for the clergy or for scientific and pedagogical purposes; obtain and utilise objects and materials of religious significance; use media; establish ties with religious organisations in other countries; and engage in charity; to conduct business in their own name (e.g., to own property, rent property, and establish bank accounts).

- **Denial of registration:** a religious community may appeal a decision by the Office of the State Registrar through the courts.
- **Unregistration:** the law remains ambiguous as to the rights universally afforded to unregistered groups.

- Evaluations

- Ambiguity over the status and protections afforded to unregistered religious groups is impermissible to RoRB standards.
- Pseudo-mandatory registration is impermissible to RoRB standards.
- Basic religious activities such as performing religious liturgies, ceremonies and services must not be benefits of registration as they should be able to be conducted legally without undergoing registration.
- The imposition of membership quotas onto registrant groups is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- **Conscientious objection:** the law provides for two types of service for conscientious objectors as an alternative to compulsory, two-year military service: alternative (noncombat) military service for 30 months or alternative labor service for 36 months. Evasion of alternative service is a criminal offence. Penalties range from two months' detention to eight years' imprisonment, depending on the circumstances of the case.

- **Labour laws:** the labor code prohibits employers from collecting and analyzing data on the religious views of employees. The labor code authorises up to four days of unpaid leave for observing national and religious holidays or remembrance days, regardless of religious affiliation.
- Communal activity
 - **Foreign missionary activity:** the law does not categorise or regulate the residence status of foreign religious volunteers.
 - **Hierarcy:** the importation of religious materials or devotional items into Armenia is permitted without restriction, both for personal and propagational use.
 - **Pastoral services:** the penitentiary code allows penal institutions to invite clergy members to conduct religious ceremonies and use religious objects and literature. Prisoners may request spiritual assistance from the religious group of their choice. A joint Ministry of Defense-AAC agreement allows only AAC clergy to serve as military chaplains.
 - **Public position requirements:** the law prohibits employees of the National Security Service (NSS) from being members of a religious organization, but does not define the meaning of “membership” in a religious organization. The law prohibits members of the police, military, and the NSS, as well as prosecutors, diplomats, and public servants, from using their official positions for the benefit of “religious associations” or from preaching in support of them. While the law defines a “religious organization” as an association of citizens established for professing a common faith as well as for fulfilling other religious needs, it provides no definition for “religious associations.” A military service member may not establish a religious association. If a member of the military is a member of a religious association, the member does not have the right to preach to other service personnel during military service. The law also prohibits police, prosecutors, diplomats, and community servants (employees

of local municipalities) from conducting religious activities while performing official duties. The law has not been interpreted as barring affected individuals from attending worship services or participating in other religious rituals.

- Penal code
 - There is nothing of concern to RoRB standards in the present incarnation of Armenia’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the position of Human Rights Defender of Armenia was established in law in October 2003. Arman Tatoyan was the ombudsman of Armenia from 2016 to 2022. The ombudsperson may make recommendations but does not have the power to enforce them.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Armenia for this First Edition of *Recognition of Religion or Belief*.

Overview

- State privilege is extended to the Armenian Apostolic Church.
- Procedures for recognition and registration are amalgamated which is not ideal.
- The “expertise” of the Division of Religious Affairs and National Minorities on determining the authenticity of a group based on “historically recognised holy scripture” is troublingly subjective.
- Further restrictive stipulations of having a certain membership quota and the subjective stipulation of being “free from materialism and be of a spiritual nature” are also
- Recognition procedures for “national minorities” remain ambiguous, thus owing to further restrictivity.
- The subjectivity of some requirements in the registration process are open to widespread misuse.

Positive elements

- Nil.

Recommendations

- Establish differentiated systems for recognition and registration.
- Establish clarity as to the rights provisions of unregistered groups.
- Abolish excessive qualifications and the membership quota.

Restriction tools implemented

- Ambiguity exists as to the provisions laid down for unregistered groups.
- Religious favouritism.
- State privilege for the Armenian Apostolic Church.
- Stipulatory registration.
- Subjective requirements.

History of RoRB classification

- Armenia has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Artsakh, Republic of (Nagorno-Karabakh) – Censorious

- Discrimination exists within the registration process against minority faiths (essentially, any group other than the Armenian Apostolic Church).
- Existential recognition is extended to the Armenian Apostolic Church; partial recognition is in effect.
- False claim to freedom of religion or belief.
- Subjective language is used in the legislation that could easily be misapplied.
- Unregistration and proselytism by minorities is banned.
- Nagorno-Karabakh adopted a New Religion Law in December 2008, which remains in force. The Law includes a ban on unregistered religious activity; state censorship of religious literature; an undefined "monopoly" given to the Armenian Apostolic Church over preaching and spreading its faith while restricting other faiths to similarly undefined "rallying their own faithful"; and the vague formulation of restrictions, making the intended implementation of many articles uncertain.
- **Membership quota:** the requirement for 100 adult citizens to register a religious community.
- The Constitution of Nagorno-Karabakh guarantees religious freedom but allows for restrictions under the banner of security, public order and other state interests which remain fairly broad and open-ended.
- The charter also recognizes the Armenian Apostolic Church as the “national church” of the Armenian people.
- The religious freedom of other groups is limited in practice.
- A 2009 law banned religious activity by unregistered groups and proselytism by minority faiths, and made it more difficult for minority groups to register.
- **War causing desecration:** In 2019, restoration of the main mosque in the town known as Shushi to Armenians and Shusha to Azerbaijanis was completed, and the mosque was formally reopened that October. Services resumed when Azerbaijani military took over the town during the 2020 war. During the war, the Azerbaijani army fully or partially destroyed a number of Armenian religious objects, notably Sourp Ghazanchetsots

Cathedral and Kanach Zham, in the same town. Russian peacekeepers took control of at least two important Armenian cathedrals, which are in the vicinity of or located inside the Azerbaijani-controlled territory as a result of the November cease-fire agreement. It remains unclear whether residents of Armenia and Nagorno-Karabakh will be allowed to attend services at these cathedrals.

Recommendations

- Revoke the imposition of a membership quota and the criminalisation of unregistration and unregistered religious activity.

History of RoRB classification

- Artsakh was only first included in the 2022 RoRB Index as a distinct entry and it was classified Censorious.

Aruba, Country of — Apathetic

RoRB and national identity

- **Non-percolative recognition:** Dutch law on religious recognition is not applied in Aruba.

Recognition law

- Structures and procedures for existential recognition
 - There is limited information on existential recognition for religions in Aruba for this First Edition of *Recognition of Religion or Belief*.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in Aruba as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of concern to RoRB standards when it comes to the topic of self-identification in Aruba.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Aruba is permitted without restriction, both for personal and propagational use.
- Penal code

- There is nothing of concern to RoRB standards in the present incarnation of Aruba's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** although the Netherlands has an established office of the National Ombudsman and a youth ombudsman, it is unclear whether their jurisdiction reaches to Aruba and other Dutch overseas territories as many of these territories are self-governing.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Aruba for this First Edition of *Recognition of Religion or Belief*.

Overview

- Unsure of the existence of a recognition system – perhaps connected to the Netherlands.

Restriction tools implemented

- Non-percolative recognition.

History of RoRB classification

- Aruba has been classified Apathetic according to the SRR since the first iteration of the RoRB Index in 2021.

Australia, Commonwealth of — Apathetic

RoRB and national identity

- An explicit claim to freedom of religion or belief are made in statutory human rights charters, a claim the government broadly upholds in practice.
- The Commonwealth of Australia is a secular state.
- Percolative recognition is in effect for Australia's external territories of Christmas Island, the Cocos (Keeling) Islands, and Norfolk Island.
- The state of Tasmania is the only state or territory whose constitution specifically provides citizens with the right to profess and practice their religion. In Queensland, Victoria, and the Australian Capital Territory, freedom of religion is protected in statutory human rights charters. The anti-discrimination laws of all states and territories, with the exceptions of NSW and South Australia, contain a prohibition against discrimination on the grounds of religious belief. NSW prohibits discrimination on the basis of "ethnoreligious origin," and South Australia protects individuals from discrimination in employment and education because of religious dress. Complainants may seek redress through state and territory human rights bodies.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Australia.
- Evaluations
 - The lack of existential recognition in Australia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not require religious groups to register in order to conduct basic religious activities but if groups do register they will receive financial benefits.
 - **Procedure:** religious groups are expected to register with the Australia Tax Office (ATO). Registration with the ATO has no effect on how religious groups are treated, apart from standard ATO checks.
 - **Legal designation:** religious groups are classified under the legal designation non-profit religious group.
 - **Registration benefits:** tax exemption.
 - **Qualifications:** an organisation's activities, size, and permanence are some of the factors taken into account to determine its tax-exempt status; must be a nonprofit entity.
- Evaluations
 - The imposition of a stipulatory registration policy in Australia is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of concern to RoRB standards when it comes to the topic of self-identification in Australia.
- Communal activity
 - **Hierony:** the importation of religious materials or devotional items into Australia is permitted without restriction, both for personal and propogational use.
 - **Pastoral services:** the federal government provides funding to state and territory governments to support the

employment of chaplains in public schools. Chaplains may represent any faith and the government bans them from proselytising.

- **Religious education:** state and territory governments share responsibility for education policy with the federal government, and they generally permit religious education in public schools that covers world faiths and beliefs.
- **Religious instruction:** instruction in the beliefs and practices of a specific religion may also be permitted, depending on the state or territory. In some jurisdictions, instruction may only occur outside regular class time, while in others, alternative arrangements are made for the children of parents who object to religious instruction.
- Penal code
 - There is nothing of concern to RoRB standards in the present incarnation of Australia's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Commonwealth Ombudsman is the ombudsman for the Australian federal government but there are also state-level ombudspersons and youth commissioners that hold the same mandates.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Australia for this First Edition of *Recognition of Religion or Belief*.

Overview

- Australia doesn't have an established recognition system.
- A key part of the discourse that recognitionism seeks to ignite is to analyse whether the position of a country like Australia is ideal

or whether a country having an established recognition system that is dynamic is the ideal situation.

- The sufficiency of state services for new and established groups based on belief is questioned, as is the government capacities for facilitating new developments in religion and belief.
- The closest form of recognition is through the state's bestowal of tax-exempt status.

Positive elements

- Freedom of religion or belief for both new and established religions is widely upheld.

Recommendations

- Establish a set of differentiated systems for both existential recognition and legal registration.
- More clarity required as to the membership and longevity qualifications required for tax-exempt status.

Restriction tools implemented

- Ambiguity persists as to what exactly grants a religious organisation tax-exempt status.
- Lack of sufficient procedures for existential recognition and legal registration.
- Stipulatory registration.

History of RoRB classification

- Australia has been classified Apathetic according to the SRR since the first iteration of the RoRB Index in 2021.

Austria, Republic of — Restrictive

RoRB and national identity

- The Constitution of Austria makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice.
- The Republic of Austria is a secular state.
- From GOV.UK Travel Advice: *as of 1 October 2017, it's illegal in Austria to wear in a public place any clothing or object which conceals the face and makes facial features unrecognisable. Failure to comply with this law is punishable by an on-the-spot fine of up to €150. You could also be required to attend a police station if you refuse to uncover your face once asked, or if your identity is impossible to determine. The law applies to both residents and visitors.*

Recognition law

- Structures and procedures for existential recognition
 - Insufficient distinctions are made between existential recognition and legal registration in Austria with much of the focus placed on the latter.
- Evaluations
 - The lack of existential recognition in the country for religious groups demonstrates an issue of the amalgamation of recognition and registration procedures.

Registration law

- Structures and procedures of legal registration
 - The Austrian registration system is characteristically vertical and is marred by bureaucratic issues and onerous complexities.

- **Vertical registration system:** the Austrian government establishes three legal categories for religious or belief groups; these, in descending order of rights and benefits, are religious societies, religious confessional communities and associations.
- **Religious societies:** eligibility for the religious society category depends on whether the group comprises at least 0.2% of the country's population (approximately 17,700 people) and must have existed for at least 20 years, at least 10 of which as a registered association and 5 as a confessional community. Highlighted here is the Austrian government's use of both longevity quotas and membership quotas in its recognition system, practices that do not comply with RoRB standards.
- **Legal designation:** public corporation status is granted to religious societies.
 - **Benefits:** this status allows the entity to engage in public and semi-public activities like government-funded religious instruction in public and private schools, a privilege not granted to the lesser categories.
- **Registration benefits:** tax relief is granted to religious societies in two primary ways: donations are not taxable and the society is exempt from property taxes for all buildings dedicated to religious activity or administration of religious activity. Religious societies are also made exempt from what is called the "surveillance charge", a fee payable whenever state security is required for an event or gathering. Some administrative fees are also thought to be levied for religious societies as well as for municipal services like garbage collection fees.
- **Procedure:** groups applying for religious society status for the first time must register through the Office for Religious Affairs in the Federal Chancellery.
- **Grandfathered groups:** changes in the law that took place in 1998 meant that 14 out of the 16 groups currently registered were grandfathered in from the previous law. This meant that groups recognised prior to 1998 did not need to necessarily meet the membership or longevity quotas now imposed. Here are the 14 groups recognised pre-1998 which were grandfathered in: the

Roman Catholic Church; Protestant churches (Augsburg and Helvetic confessions); the IGGO; Old Catholic Church; IKG; Eastern Orthodox Church (Bulgarian, Greek, Romanian, Russian, Serbian, and Antiochian); The Church of Jesus Christ of Latter-day Saints; New Apostolic Church; Syrian Orthodox Church; Coptic Orthodox Church; Armenian Apostolic Church; Methodist Church of Austria; the Buddhist Community; and Free Christian Churches. The government recognises Jehovah's Witnesses and Alevi Muslims as religious societies under the post-1998 criteria.

- There is a ruling which states that groups which have been active internationally for over 100 years and have been recognised as an association in Austria for over 10 years may apply for religious society status.
- The law grants registered religious societies the right to public practice and independent administration of their internal affairs. — This is worrying, do groups unregistered not get to operate independently or publicly practice? – if not, violations of FoRB from within RoRB are identifiable here.
- Religious societies are able to participate in the program requiring mandatory church contributions by church members. — again worrying, members of a religion should not be ordered to make mandatory donations, especially through government apparatuses; the government should not facilitate this kind of activity.
- Religious societies can bring religious workers into the country to act as ministers, missionaries, or teachers — so confessional communities and associations cannot engage in proselytism to the same degree as religious societies?
- Religious societies can provide pastoral services in prisons and hospitals. – why can't other lower category groups do this?
- *Responsibilities of religious societies include a commitment to sponsor social and cultural activities that serve the common good and – like all religious groups – to ensure their teachings do not violate the law or ethical standards, which the law does not define. – The ambiguity of registration law in this regard does not comply with RoRB*

standards regarding the clarity of qualification policies for registrants.

- **Religious confessional communities:** the second tier of the Austrian system must be registered for through the Office for Religious Affairs in the Federal Chancellery.
- The government recognises 10 confessional communities: the Baha'i Faith, Movement for Religious Renewal-Community of Christians, Pentecostal Community of God, Seventh-day Adventists, Hindu Community, Islamic-Shiite Community, Old-Alevi Community in Austria, Unification Church, United Pentecostal Community of Austria, and Sikhs.
- A recognised confessional community has the juridical standing needed to engage in such activities as purchasing real estate in its own name and contracting for goods and services, but it is not eligible for the financial and educational benefits available to recognized religious societies. Contributions to confessional communities' charitable activities are tax deductible for those who make them and tax free for the groups receiving them, but the communities are not exempt from property taxes. Confessional communities may provide pastoral care in prisons and hospitals. To gain government recognition as a confessional community, a group must have at least 300 members and submit to the Office for Religious Affairs its statutes describing the goals, rights, and obligations of members as well as membership regulations, a list of officials, and financing information. A group must also submit a written description of its religious doctrine, which must differ from that of any previously recognized religious society or religious confessional community. The Office for Religious Affairs determines whether the group's basic beliefs are consistent with public security, order, health, and morals and with the rights and freedoms of citizens. A religious group seeking to obtain confessional community status is subject to a six-month waiting period from the time of application to the chancellery. After this period, groups that have applied

automatically receive the status unless the government issues a decree rejecting the application.

- *Groups sharing a broad faith with an existing society or confessional community, for example Christianity, may register separately as long as they can demonstrate that they have a different theology.* – This ruling is quite worrying as it strays fairly close to the government deciding what theology is acceptable as part of a belief system and which is not. The ruling in and of itself may not violate RoRB standards but a ruling like this could be easily misused against unfavoured religious groups.
- **Associations:** the third tier of the Austrian registration system for all other groups that seek registration.
 - According to the law, any group of more than two persons pursuing a nonprofit goal qualifies to organise as an association. Groups may apply to the Ministry of Interior to obtain such status. To become an association, a group must submit a written statement citing its common, nonprofit goal and commitment to function as a nonprofit organization. Associations have juridical standing, the right to function in public, and many of the same rights as confessional communities, including the right to own real estate and to contract for goods and services. Associations may not offer pastoral care in hospitals or prisons or receive tax-deductible contributions.

- Evaluations

- The imposition of both membership quotas and longevity quotas onto registrant religious groups is impermissible with RoRB standards.
- The imposition of a vertical system of recognition through established registered class hierarchies is impermissible with RoRB standards.

Law and policy on religion and belief

- Self-identification

- The imposition of bans on facing-covering religious clothing since 2017 is a worrying sign of the breakdown of legal protections for religious groups in the country, especially for Muslim women who choose to wear the niqab.
- Communal activity
 - **Foreign missionary activity:** the government requires a visa for visitors from non-visa-waiver countries or individuals who would stay beyond 90 days, including religious workers of confessional communities or associations. Foreign religious workers of groups recognized as confessional communities or associations must apply for a general immigrant visa that is not employment or family based and is subject to a quota. Foreign religious workers belonging to religious societies also require immigrant visas but are exempt from the quota system. Religious workers from Schengen or EU-member countries are exempt from all visa requirements.
 - **Hierarcy:** the importation of religious materials or devotional items into Austria is permitted without restriction, both for personal and propagational use.
 - Members of religious groups not legally recognised may practice their religion at home “insofar as this practice is neither unlawful nor offends common decency.” – why is this included and does this mean that unregistered groups aren’t allowed to practice publicly?
 - **Pastoral services:** pursuant to the law governing relations between the government and the Roman Catholic Church, the Church is the only religious group to receive government funding for pastoral care it provides in prisons.
 - **Religious customs:** separate laws govern relations between the government and each of the other 14 state-recognized religious societies. The laws have similar intent but vary in some details, since they were enacted at different times over a span of approximately 140 years. As with the Muslim community, a law provides explicit protections for Jewish

religious practices, including circumcision and ritual slaughter.

- **Religious holidays:** the law also makes various Catholic holidays official national holidays.
- **Religious instruction:** the government funds, on a proportional basis, religious instruction for any of the 16 officially recognized religious societies by clergy or instructors provided by those groups for children in public schools and government-accredited private schools. The government does not offer such funding to other religious groups. A minimum of three children is required to form a class. Attendance in the respective religion classes is mandatory for all students who are members of those religious groups unless they formally withdraw at the beginning of the school year; students younger than age 14 require parental permission to withdraw from religion classes. Religious instruction takes place either in the school or at sites organised by religious groups. Some schools offer ethics classes for students not attending religious instruction. Religious education and ethics classes include the tenets of different religious groups as comparative religious education.
- Penal code
 - The imposition of fines for wearing facing-covering items, even religious clothing, is a violation of FoRB.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is a three-member Ombudsman Board which was created in 1977 and there is also a youth ombudsperson.

Social dimensions of RoRB

- **Muslims:** the law governing relations between the government and the IGGO and Alevi Muslim groups stipulates that funding for the day-to-day operations of mosques must be derived from

domestic sources, Islamic teachings and practices must not violate federal law (compliance with which is determined by the Office for Religious Affairs), and Islamic institutions should “take a positive stance” toward the state and society. The law provides an explicit legal definition of, and legal protection for, Islamic practices, such as circumcision and preparation of food in conformity with religious rules, and states Muslims may raise children and youth in accordance with Islamic traditions. Muslim groups with at least 300 members and a theology not distinct from a pre-existing Islamic religious society or confessional community are considered cultural communities and fall under the umbrella of the pre-existing, legally recognized Islamic religious society or confessional community. This includes the IGGO and the Alevi Community in Austria, which are both religious societies, or the Islamic-Shia Community and the Old-Alevi Faith Community in Austria, both of which have confessional community status. The law allows for Islamic theological university studies, which the University of Vienna offers. An amendment to the law pertaining to Muslims passed in July as part of an antiterrorism package provides for stricter annual government monitoring of the finances of mosques and Muslim cultural associations, focusing on financial flows from abroad. The legislation, which entered into force September 1, also allows the Federal Chancellery to request a list of all Muslim officials and associations and makes it easier to close mosques to “protect public security,” with the approval of the IGGO. The IGGO must report changes in Muslim associations, such as changes in by-laws, leadership, and funding to the Office for Religious Affairs, so that authorities have up-to-date information on such associations. The law also empowers Ministry of Interior officials, who already review requests to establish new associations, to scrutinise such requests to ensure that they are not “cover organizations” for religious groups attempting to bypass the transparency requirements for mosques. The antiterrorism package also introduced a new statutory offence banning “religiously motivated extremism.”

Overview

- There exists a recognition system.
- The stipulation that “members of religious groups not legally recognised may practice their religion at home “insofar as this practice is neither unlawful nor offends common decency” seems suspect for a democratic nation.
- The clarity that the government provides in the structure of its recognition system is admirable, however, the very fact that it is highly structured means that it ventures into being bureaucratic. Austria is the opposite of some countries that have ambiguous recognition systems, however, having too many stipulations in one’s recognition system often ends in violating religious freedoms.
- Excessive stipulations such as meeting membership quotas and for it to have existed for a stipulated amount of time; these requirements are clearly targeting new religious movements and widely contravene the Durham principles.

Positive elements

- The system establishes different categories for communities, denominations (called societies).

Recommendations

- Disestablish the three-pronged system that relies on vertical recognition and possesses inappropriate requirements.
- Abolish longevity and membership quotas.

Restriction tools implemented

- Borders on mandatory registration due to the provision that unregistered groups may only practice in private.
- Excessively bureaucratic which then translates to restrictivity.
- Excessive stipulations for registration (such as membership quotas and demands of longevity).
- Subjectivity remains as to what consists a "violation of law" and "ethical standards"; these terms, although they seem appropriate,

could be used against groups as a means of deregistration or disrecognition.

- Vertical registration system is in effect which points to the main reason why Austria is classified Restrictive.

History of RoRB classification

- Austria has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Azerbaijan, Republic of — Censorious

RoRB and national identity

- The Constitution of Azerbaijan makes an explicit claim to freedom of religion or belief, a claim the government fails to uphold and regularly infracts upon in practice.
- The Republic of Azerbaijan is a secular state; Azerbaijan was formerly a hypersecular state professing state atheism when it was part of the Soviet Union.
- From GOV.UK Travel Advice: *Azerbaijan is a largely secular society, and religion is usually considered a private matter. Respect local traditions, customs, laws and religions at all times and be aware of your actions to ensure that they don't offend other cultures or religious beliefs, including the photographing or videoing of mosques, churches and other religious sites or sites of commemoration, such as Martyr's Alley in Baku. If in doubt, seek permission. When visiting religious areas, or during the holy month of Ramadan, pay extra attention to ensure your actions are culturally sensitive.*

Recognition law

- Structures and procedures for existential recognition
 - Procedures for recognition and registration in Azerbaijan are not clearly distinguished with an emphasis on the latter as legal registration than existential recognition.
- Evaluations
 - The lack of provisions for the existential recognition of belief systems and belief groups in Azerbaijan is a demonstration of the issue of amalgamation.

Registration law

- Structures and procedures of legal registration

- **Mandatory registration:** a ruling of mandatory registration is imposed in which all GBoBs and BBOs must register with the government in order to conduct any activities. This means before conducting any type of religious service or the distribution and publication of texts, especially acts of proselytism, a group or organisation must register with the state which is a clear violation of the Bielefeldt provision and is impermissible with RoRB standards. This is a particularly strict mandatory registration law as it does not provide a religious group with any room to establish themselves in the country before achieving government approval, hence the government holds a firm grip on religion and belief. Indeed, religious activity continues under the radar of this state control but groups and their leaders are likely to be subjected to the harsh penal code if discovered to be operating unregistered. Police raids and other penalties will be imposed on groups that do not comply with registration law.
- **Legal entity status:** the law uses the term “associations” to encompass religious organisations, their local branches and the communities they serve. Little distinction is made between the needs of these different types of manifestation of religion and belief when religious organisations are classified legally as an homogenous entity under the law.
- **Registration procedure:** prospective registrants are mandated to apply to the State Committee for Work with Religious Organisations (SCWRO). The SCWRO may appeal to the courts to suspend any religious group’s activities that it does not approve of or favour. A prospective registrant must submit to the SCWRO the following body of documentation: a notarised application signed by at least 50 of its members (**membership and signature quota**), a charter and founding documents, the names of the organisation’s founders, and the organisation’s legal address and bank information. The SCWRO said it continued to provide letters authorising previously registered communities to operate, based on their pre-2009 registrations. While the SCWRO maintained its prohibition on these communities’ religious activities in locations not covered under their pre-2009 registration status, it occasionally granted exceptions upon request.

- **Reregistration policy:** a BBO's registration is tied to the physical site when the organisation registered meaning that if the organisation moves address or expands to create new branches, reregistration must be sought. In effect making what registration means a very narrow definition in comparison to its standing meaning which is that upon registration a group may operate either through a province at least but generally throughout the country. Instead, the Azerbaijani system is rendered so that registration is highly localised, meaning that what it means to be registered is somewhat truncated. This aspect of registration also means that registration cannot equate to the legal protection of the community self-identifying as part of the belief system which the organisation in question represents because to do so, the organisation's registration would need to cover the entire country to encompass all members of the community.
- **Registration benefits:** to hold meetings, maintain a bank account, rent property, act as a legal entity, and receive funds from the government.
- **Significant leeway:** authorities may deny registration of a religious organisation if its actions, goals, or religious doctrine contradict the constitution or other laws. Authorities may also deny registration if an organisation's charter or other establishment documents contradict the law or if the information provided is false.
- **Intentional stagnations:** applicants since 2009 are still waiting for their applications to be processed in effect meaning that the SCWRO has halted registration applications, a significant violation of RoRB standards. This is despite the fact that part of registration rules are that the government must submit a response to registration applications within 30 days (called a regulatory interval), its own ruling that it clearly does not adhere to itself. According to Forum 18, registered religious communities, including Jews, Georgian Orthodox, Baptists, Pentecostals, Lutherans and other Protestants, Baha'is, Jehovah's Witnesses, and International Society of Krishna Consciousness Krishna devotees (who are considered religious communities) seemed unlikely to gain the status of a religious center under existing laws. The government considered only the CMB, the Russian

Orthodox diocese of Baku and Azerbaijan, and the Roman Catholic Apostolic Prefecture to be religious centres.

- **Baseless denials of registration:** many Protestant denominations (including Baptists, Seventh-day Adventists and Pentecostals) have been denied full recognition, thus limiting their activities; Jehovah's Witnesses and Latter-Day Saints are in similar positions. Some NGOs that advocate for religious freedom have also found their applications for recognition denied. Although applicant groups do have the ability to appeal registration denials to the courts, this function is likely defunct considering new applications are being stagnated.
- **Deregistration and disbandment of religious groups:** the law specifies circumstances under which religious organizations may be dissolved, including if they act contrary to their founding objectives; cause racial, national, religious, or social animosity; or proselytize in a way that degrades human dignity or contradicts recognized principles of humanity such as "love for mankind, philanthropy, and kindness." Other grounds for dissolution include hindering secular education or inducing members or other individuals to cede their property to the organization
- **Registration rate:** at year's end, the SCWRA registered 16 new religious communities (all Muslim), compared with 14 religious communities registered in 2020 (12 Muslim and two Christian). There were a total 971 registered communities at the end of the year, of which 37 were non-Muslim – 26 Christian, eight Jewish, two Baha'i, and one International Society of Krishna Consciousness. The SCWRA also said 2,253 mosques, 16 churches, seven synagogues, and 11 religious education institutions were registered. There were 23 Christian prayer houses (worship spaces that did not have the status of a church), one Baha'i house of worship, and one Krishna Consciousness house of worship in the country at year's end.

- Evaluations

- Mandatory registration is impermissible with RoRB standards according to the Bielefeldt provision; the application of force

through police raids to maintain mandatory registration is one of the key characteristics for Azerbaijan's classification as Censorious.

- Intentional stagnations and delays of registration since 2009 is also impermissible in RoRB standards.
- Denials of registration are also impermissible to RoRB standards simply based on the belief identity of different groups.
- Significant leeways exist in the recognition system that the government misuses to ensure its control of religion and belief through recognition and registration.

Law and policy on religion and belief

- Self-identification
 - The severity of registration law in the country drastically effects the free of individuals to self-identify as they wish which creates a precarious situation for FoRB in the country based on matters of particular concern to RoRB, namely religious registration.
 - **Citizenship law:** the law stipulates the government may revoke the citizenship of individuals who participate in terrorist acts; engage in religious extremist actions; undergo military training abroad under the guise of receiving religious education; propagate religious doctrines in a "hostile" manner, which the law does not further define; or participate in religious conflicts in a foreign country under the guise of performing religious rituals.
 - **Conscientious objection:** although the constitution allows alternative service "in some cases" when military service conflicts with personal beliefs, there is no legislation permitting alternative service, including on religious grounds. Refusal to perform military service is punishable under the criminal code by imprisonment of up to two years or forced conscription.
- Communal activity

- **Hierarcy:** the legal importation of religious materials or devotional items into Azerbaijan is contingent on preapproval by the SCWRA, for personal use but especially for propagational use.
 - The government continued to control the importation, distribution, and sale of religious materials. Some smaller non-Muslim communities reported no difficulty in importing religious literature and described continuing improvement in relations with the government.

- **Proselytism:** the law prohibits proselytising by foreigners but does not prohibit citizens from doing so. In cases of proselytization by foreigners and stateless persons, the law sets a punishment of one to two years in prison.

- **Public position requirements:** according to the constitution, the law may restrict the participation of “religious officials” in elections and bars them from election to parliament. The law does not define “religious officials.” The law prohibits religious leaders from simultaneously serving in any public office and in a position of religious leadership. It proscribes the use of religious facilities for political purposes. By law, political parties may not engage in religious activity.

- Penal code

- **Censorship of religious materials:**
 - *According to the law, the SCWRA reviews and approves all religious literature for legal importation, sale, and distribution.* This is impermissible with RoRB standards because the free distribution of religious or philosophical literature is classified as one of the “basic religious activities” and this also demonstrates a violation of FoRB. Whether recognised or registered or not, it seems that this preapproval requirement applies to all groups.
 - *Punishments for “production, sale and distribution of religious literature (on paper and electronic devices), audio and video materials, religious items, and other informational materials of religious nature with the aim of importation, sale*

and distribution without appropriate authorization” are proscribed by law. Punishments for first-time offenders include a fine of between 5,000 and 7,000 manat (\$2,900 and \$4,100), up to two years’ restricted freedom, or up to two years’ imprisonment. Violations by a group of people “according to a prior conspiracy,” an organised group, an individual for a second time, or an official carry a fine of between 7,000 and 9,000 manats (\$4,100 and \$5,300), between two and four years’ restricted freedom, or imprisonment of between two and five years. More recently, amendments to the criminal code entered into force that added the alternative punishment of “restriction of freedom” (probation) – two to four years in cases involving an individual first-time offender and two to five years in aggravated cases – to the preexisting punishments. The imposition of such punishment for an act that is considered a “basic religious activity” is a gross violation of RoRB standards and FoRB principles.

- **Dissolution of religious organisations:** *the law specifies circumstances under which religious organisations may be dissolved, including if they act contrary to their founding objectives; cause racial, national, religious, or social animosity; or proselytise in a way that degrades human dignity or contradicts recognised principles of humanity, such as “love for mankind, philanthropy, and kindness.” Other grounds for dissolution include hindering secular education or inducing members or other individuals to cede their property to the organisation. The stipulated grounds for the dissolution of a religious group provide significant leeway for the government to misuse to penalise groups and organisations that are unfavourable to it. Many of these grounds for dissolution are closely intertwined with “basic religious activities” which means such grounds and their application to restrict religious activity is a misuse of the recognition system and is impermissible to RoRB standards.*

- **Foreign religious activity:**
 - *Rituals and ceremonies related to Islam may be performed only by citizens of the country. A longstanding agreement*

between the government and the Holy See allows foreigners to lead Catholic rituals. This is a violation of the FoRB of foreigners and demonstrates a misuse of the recognition system in order to maintain this restriction. Unless a specific agreement has been signed between the leadership of a person's religion and the Azerbaijani government, their freedom to conduct religious services is stifled.

- *The law allows foreigners invited by non-Islamic registered religious groups to conduct religious services, but it prohibits citizens who received Islamic education abroad from leading religious ceremonies unless they obtain special permission from the CMB. Penalties for violating this law include up to one year's imprisonment or fines from 1,000 manat (\$590) to 5,000 manat (\$2,900). The restriction of foreigner religious activity is a violation of the universal principles of FoRB, but to impose fines on foreigners for this is a demonstration of the severity of the Azerbaijani government's control of religion and belief.*
- **Punishments for “extremism”:** *According to the law, this behavior includes forcing a person to belong to any specific religion or to participate in specific religious rituals. It also includes activities seeking to change by force the constitutional structure of the country's government, including its secular nature; setting up or participating in illegal armed groups or unions; and engaging in terrorist activities. The law penalises actions that intend to change the constitutional order or violate the territorial integrity of the country on the grounds of religious hatred, radicalism, or fanaticism, with prison terms ranging from 15 years to life. The recognition system in Azerbaijan is severely misused against groups that are not favoured by the government. The weaponisation of terms like “extremism” and “cult” are used to create narratives around different religious groups that the government perceives that it cannot control. This is a form of the misuse of recognition as a means to restrict unwanted religious activity in the country.*
- **Restrictions on activities:** *the administrative code prohibits “clergy and members of religious associations from holding*

special meetings for children and young people as well as the organising or holding by religious bodies of organised labor, literary, or other clubs and groups unassociated with holding religious ceremonies.” Organisational restrictions such as these imposed on BBOs are impermissible to RoRB standards and demonstrate a further misuse of the recognition system.

- **Restrictions on symbols:** *the law restricts the use of religious symbols and slogans to inside places of worship.* The misuse of the law to restrict religious symbolism is once again demonstrating a systematic breakdown in the function of religious recognition in the country. A recognition system should be established to reinforce the protection of religious groups to operate as they see fit; not to be misused to restrict their activities. It is impermissible for RoRB standards that a country places restrictions on what kinds of symbols religious groups may use or where they display them.
- **Unregistration:** *unregistered religious groups and organisations are unacceptable to the Azerbaijani government under its mandatory registration ruling. Fines, imprisonments and police raids are the kinds of punishments dealt out to handle unregistration.* Criminalising unregistered religious groups is impermissible to RoRB standards. To enforce such a ban through violent means such as police raids is further testament to the firm Censorious classification of Azerbaijan.
- **Weaponisation of terms:** *while the law prohibits the government from interfering in the religious activities of any individual or group, there are exceptions for suspected extremist or other illegal activity.* This legislation is interpreted very broadly by the government and is widely used as the basis of government actions in restricting religious activity, leading to violations of freedom of religion or belief and other interconnected human rights. *The law states government entities and citizens have rights and responsibilities to combat “religious extremism” and “radicalism.” The law defines religious extremism as behavior motivated by religious hatred, religious radicalism (described as believing in the exceptionalism of one’s religious beliefs), or religious fanaticism*

(described as believing no one outside of one's religious group may criticise that group). The Azerbaijani government makes widespread use of the weaponisation of terms in order to create a persisting narrative around certain groups that it sees as rebelling against its control of citizens or threatening its power. This kind of misuse of recognition is identifiable as a common theme through authoritarian governments and is one of the primary ways in which language can be misused to the detriment of FoRB conditions.

- Facilitation of religion or belief
 - **Ombudsmanship:** the Commissioner for Human Rights is the designated ombudsman for the Republic of Azerbaijan although the same individual, Elmira Süleymanova, has been in the position for twenty years and there have been various cases of human rights violation in the country that have not been sufficiently investigated by the Commissioner. This insufficiency has undermined the role and true function of the position.
 - **State funding:** the government continued to allocate funds to “traditional” religious groups. On July 8, President Aliyev signed a decree allocating two million manat (\$1.18 million) to the CMB for Muslim communities and 350,000 manat (\$206,000) each to the Baku Diocese of the Russian Orthodox Church and the religious community of Mountain Jews, the same amounts as in 2020. The decree also allocated 150,000 manat (\$88,200) each to the European Jewish community, the Albanian-Udi community, and the Catholic Church of Baku, and 100,000 manat (\$58,800) to the Moral Values Promotion Foundation, the same amounts as in 2020. The Moral Values Promotion Foundation used the funds to support some smaller non-Muslim religious communities.

Social dimensions of RoRB

- **Muslims:** the regime exercises control over religion through state-affiliated entities such as the Caucasus Muslim Board. The Caucasus Muslim Board (CMB) is registered by the SCWRA as a

foundation and oversees the activities of registered Islamic organisations, including training and appointing clerics to lead Islamic worship, periodically monitoring sermons, and organising pilgrimages to Mecca. Muslim communities must receive an approval letter from the CMB before submitting a registration application to the SCWRA. A number of mosques have been closed in recent years, ostensibly for registration or safety violations. Haji Taleh Bagirzade and members of his Muslim Unity Movement, a nonviolent conservative Shiite group, have been subjected to mass arrests, torture, and imprisonment as part of a crackdown that began in 2015. State-sanctioned religious associations are impermissible for RoRB standards because they are the epitome of the state's control of religion or belief and its misuses of recognition to achieve its aims.

- **Jehovah's Witnesses:** *Jehovah's Witnesses face harassment as well as prosecution for evading military service.* Conscientious objection is an act and belief that should be protected through a country's religious recognition system; a government's discrimination and persecution of an individual or group based on their belief in this regard is not only impermissible for RoRB standards but is a violation of FoRB.

Overview

- Procedures for recognition and registration are amalgamated rather than differentiated.
- The Azerbaijani government's outright refusal to recognise valid applicants is demonstrative of the devolving situation for religious freedoms in the country as these types of activities are comparable to countries like Eritrea which are classified as terminal.
- Azerbaijan breaks the Bielefeldt provision and several of the Durham principles.
- Denying NGOs that advocate religious freedom from conducting their activities is further evidence of the Azerbaijani government's commitment to censorship of religious activity.

- The broad scope and subjectivity of lawful reasons for denying and retracting registered status demonstrates the government's commitment to censoring religious activity.
- It is the reports of police raids, torture and other forms of violence permitted by the government or by entities sponsored by or in association with the government that descends Azerbaijan to censoriality.

Positive elements

- Horizontal recognition applied.

Recommendations

- Abolish the rule for mandatory registration.
- Immediately stop retribution for unregistration.
- Abolish restrictive reregistration, signature quota, membership quota, and confinement policies.

Restriction tools implemented

- Baseless charges of safety violation or extremism have caused unjust arrests and imprisonments.
- Mandatory registration.
- Proselytism is highly censored.
- Restrictions exist on the importation and distribution of printed religious materials.
- Scope for the government to deny registration is so subjective and broad that its misuse is inevitable.
- Stagnation of registration applications.
- Unregistration leads to retributions including penalties and police raids.

History of RoRB classification

- Azerbaijan has been classified Censorious according to the SRR since the first iteration of the RoRB Index in 2021.

Bahamas, Commonwealth of The — Restrictive

RoRB and national identity

- The Constitution of The Bahamas makes an explicit claim to freedom of religion or belief, a claim the government sometimes infracts upon in practice.
- The Commonwealth of The Bahamas is a secular state.
- The Constitution refers to “an abiding respect for Christian values”, although Christianity is not established as the state religion.

Recognition law

- Structures and procedures for existential recognition
 - There are little to no procedures for existential recognition of GBoBs and belief systems in The Bahamas, making this country apathetic to RoRB.
 - As there is widespread unstructure for existential recognition, there is currently no list of officially recognised religions or belief systems but Obeah’s classification as “illegal” does create somewhat of a vertical system, one in which a belief system *can* be made illegal if the government so decides. The ability of the government to conduct such an act to prohibit an entire belief system is impermissible to RoRB standards and certainly violates the FoRB of practicing citizens.
- Evaluations
 - The lack of existential recognition in The Bahamas demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration

- A GBoB or BBO is not mandated to register with the government to conduct religious services, proselytise, distribute or publish religious texts, or otherwise engage with its followers.
- **Stipulatory registration:** however, a stipulatory registration policy is imposed in which to purchase property or land, the group must apply to become “incorporated.” This stipulation is acceptable to standards of RoRB as long as it is not misused with nefarious intention, meaning that the stipulation is not used to restrict religious activity or violate fundamental values of religious freedom or other connected rights such as freedom of speech or freedom of association. As The Bahamas does not have a history of violating religious freedoms, this stipulation is not presently a concern to RoRB standards but should remain monitored for reports of misuse.
- **Registration benefits:** fairly uniquely, The Bahamas offers no financial privileges for religious groups that complete registration. Taxation requirements are the same for religious groups as they are for profit-making companies. Indeed, governments are not under obligation to provide tax-exemption benefits to religious groups to remain in alignment with FoRB and RoRB standards although under the values of the facilitation of religion or belief, there certainly exists that governments should support GBoBs and BBOs as well as religion, spirituality and philosophy more broadly whether appropriate and in fair capacities.
- **Registration procedures:** submission of a document declaring the organisation to be “without pecuniary gain” and for the group to maintain a building. The regulation that groups must maintain a building does not quite align with RoRB standards as it has been stated in the RFSRB that religions should not need a building or physical presence to be “recognisable” or “registrable”, especially in the digital age where many new groups interact with congregants online.
- **Alternative procedure:** a separate registration procedure exists for BBOs that seek to achieve exemptions from VAT. These procedures are dealt with by the Ministry of Financial Services, Trade and Industry, and Immigration. Little else is presently known of these procedures other than that applications are determined successful on a case-by-case basis

and no criteria has been published as to how a religious or belief group could qualify.

- The Bahamian government does not make any distinction between religious entities and secular ones, following the same regulations as nonprofit entities.
- Evaluations
 - Lack of distinction between religious and secular entities remains an issue.
 - Registration procedures do not seem onerous which is welcomed; the country's use of stipulatory registration does not violate RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of concern to RoRB standards when it comes to the topic of self-identification in The Bahamas.
- Communal activity
 - **Hieroney**: the importation of religious materials or devotional items into The Bahamas is permitted without restriction, both for personal and propagational use. It remains unclear whether Obeah-related items are able to be imported.
 - **Religious instruction**: the Constitution makes reference to the principle that no one shall be compelled to participate in religious instruction of a religion other than his or her own.
- Penal code
 - **Blasphemy**: there exists a dormant law on blasphemy in which the publication and sale of any book, representation or other material deemed to denigrate God or religion is punishable by up to two years in prison. However, criticism of religion "expressed in good faith and in decent language" are

not subject to prosecution under this law. Although the law may be dormant, its continued existence does not constitute progression for the country in terms of its FoRB and RoRB conditions.

- **Prohibitions:** the biggest RoRB concern in The Bahamas is the government's criminalisation of the practice of Obeah, an Afro-Caribbean belief system with some similarities to Voodoo. *Those caught practicing it or attempting to intimidate, steal, inflict disease, or restore a person's health through the practice of Obeah may face a sentence of three months in prison. Reports of violations are infrequent, as Obeah is generally practiced in private on remote islands with no discernible organising body, but the Royal Bahamas Police Force said it will investigate any credible reports.*
- The Bahamian government's stance on Obeah is based on the supposed misuse of the belief system to fraud people or to inflict harm upon them. Individuals cases of fraud among Obeah practitioners should be dealt with separately from the belief system itself. A government component in its protection of FoRB should not engage in such kinds of nationwide prohibitions of an entire belief system. The Bahamian government's adamance in maintaining this ban on Obeah violates RoRB standards and thereby also FoRB and is the primary cause for the country's descent to Restrictive classification in the SRR in this 2022 cycle. Strictly speaking, nationwide banning constitutes classification as Censorious but due to The Bahamas emerging as Apathetic in most other areas, it did not seem appropriate to inflict such a classification in this cycle.
- Facilitation of religion or belief
- **Ombudsmanship:** there is currently no ombudsman office established in The Bahamas to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in The Bahamas for this First Edition of *Recognition of Religion or Belief*.

Overview

- A focus is placed entirely on registration of religion or belief in a commercial and legal context rather than in the context of existential recognition.
- Essentially, there exists no recognition system in the Bahamas for religious groups or belief systems.
- Although freedom of religion or belief is widely respected yet like in Australia, the recognitionist approach questions whether the Bahamian government is able to provide sufficient services to religious communities/organisations and whether it is able to develop a rich religious, spiritual and philosophical culture if it doesn't possess a recognition system to facilitate this.

Positive elements

- Religious freedoms are broadly (though not universally) upheld.

Recommendations

- Dissolve dormant laws (namely those regarding blasphemy).
- Establish separate systems for recognition and registration tailored to religion or belief rather than following those which are used for secular entities.
- Reverse the nationwide ban on Obeah.
- The language "incorporated" is recommended to be changed as part of a broader recommendation to tailor procedures to BBOs and GBoBs as distinct from secular organisations and groups.

Restriction tools implemented

- Ambiguity and unstructure persists.
- Dormant laws exist.
- Nationwide ban on Obeah.

- Stipulatory registration (but with no special benefits for religious organisations).

History of RoRB classification

- The Bahamas was classified Apathetic in the first iteration of the RoRB Index in 2021 but in the RoRB Index of 2022, it has moved downwards to be classified Restrictive due to the nationwide ban on Obeah practices and beliefs; if such a prohibition continues, The Bahamas could be classified as Censorious in the next iteration of the RoRB Index like Jamaica has been for the 2022 RoRB Index for a similar prohibition order.

Bahrain, Kingdom of — Censorious

RoRB and national identity

- The Constitution of Bahrain makes a partial claim to freedom of religion or belief, a claim the government fails to uphold and regularly infracts upon in practice: “freedom of conscience is absolute. The State guarantees the inviolability of worship, and the freedom to perform religious rites and hold religious parades and meetings in accordance with the customs observed in the country”.
- The Constitution of Bahrain establishes Islam as the state religion.
- The Kingdom is party to the ICCPR but with the reservation that the covenant’s provisions with regard to religious freedom do “not [affect] in any way” prescriptions made in Sharia.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Bahrain.
- Evaluations
 - The lack of existential recognition in Bahrain demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Discriminatory registration:** there exists two separate procedures of mandatory registration for Islamic and non-Islamic groups.
 - **Procedure for Islamic groups:** groups must submit a registration application to the Ministry of Justice and Islamic Affairs (MOJIA).

- Sunni religious groups register with the ministry through the Sunni Waqf (endowment), while Shia religious groups register through the Jaafari (Shia) Waqf.
- **Islamic places of worship:** the MOJIA must approve all Islamic places of worship; land intended to be used for religious purposes is delegated either by the King or one of his appointed government officials.
- **Procedure for non-Islamic groups:** groups must submit a registration application to the Ministry of Labor and Social Development (MOLSD) to gain a license to operate legally in the Kingdom.
 - **Non-Islamic places of worship:** the government also determines the need for non-Islamic houses of worship. The law permits non-Islamic houses of worship to display crosses or other religious symbols on the outside their premises.
- **Informational requirements:** an official letter requesting a license; copies of minutes from the founders' committee meeting; a detailed list of founders, including names, ages, nationalities, occupations, and addresses; and other information such as the group's bylaws and bank account information of an account registered with the Central Bank of Bahrain.
- **Dual registration:** separate permission must be sought in order for the religious group to receive or transfer funds.
- **Multi-registration:** additional approval may or may not be required from the Ministry of Education, Ministry of Information Affairs, or the Ministry of Interior depending on the nature of the group's intended activities.
- **Confinement:** a group cannot operate outside its designated physical space. The law also prohibits activities falling outside of an organisation's charter.
- **Unregistration:** the penal code does not specifically address the activities of unregistered religious groups, but provides for the closing of any unlicensed branch of an international organisation; imprisonment of up to six months and fines of up to \$130 may be charged to individuals responsible for operating an unregistered religious group.

- **Registration rate:** according to the MOLSD's website, the following non-Islamic churches and spiritual groups were registered with the ministry: the National Evangelical Church, Bahrain Malaylee Church of South India Parish, Word of Life International Church, St. Christopher's Cathedral, Church of Philadelphia, St. Mary and Anba Rewis Church (St. Mary's Indian Orthodox Cathedral), Jacobite Syrian Christian Association and St. Peter's Prayer Group (St. Peter's Jacobite Syrian Orthodox Church), St. Mary's Orthodox Syrian Church, Sacred Heart Catholic Church, The Church of Jesus Christ of Latter-day Saints, Church of Christ, Greek Orthodox Church, Pentecostal Church, Baps Shri Swaminarayan Mandir Bahrain (Hindu Temple), Indian Religious and Social Group (Hindu Temple), Spiritual Sikh Cultural and Social Group, St. Thomas Evangelical Church of Bahrain, Marthoma Parish, House of Ten Commandments Synagogue, Shri Krishna Hindu Temple, and the Baha'i Social Society.
- Evaluations
 - Informational requirements are excessive and go beyond what is permissible in RoRB standards, especially regarding requests for biographical information of founders like addresses and occupations.
 - Ambiguity over additional approvals required from other ministries is impermissible; requirements must be clear and reasonable for registrants to fulfil as part of RoRB standards; forms of multi-registration are also impermissible.
 - Any policy of confinement but especially its strict enforcement as is the case in Bahrain is impermissible for RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **National identity cards:** the government does not designate religious affiliation on national identity documents, including birth certificates. Applications for birth certificates and

national identity documents, however, record a child's religion (either Muslim, Christian, Jewish, or other), but not denomination. Hospital admission forms and school registration forms may also request information on an individual's religion.

- Communal activity
 - **Hieronymy:** the importation of non-Islamic religious materials or devotional items into Bahrain is prohibited, especially for propagational purposes. Printed publications, photographs, pictures, books, magazines sculptures and mannequins which contradict Islamic teachings, decency, or immorality.
 - **Islamic religious activity:** the Supreme Council of Islamic Affairs (SCIA) oversees general religious activities taking place within the country as well as the publication of Islamic studies school curricula and official religious texts.
 - **Raising funds:** by law, the government regulates and monitors the collection of money by religious and other organizations. Islamic organizations wishing to collect money must first obtain authorization from the MOJIA. Non-Islamic organizations must obtain authorization from the MOLSD. On August 4, the MOJIA issued an amendment to a royal decree regulating fundraising that requires the Sunni and the Jaafari endowments to submit to the ministry annual reports on funds they collect for religious purposes, including for the construction or renovation of places of worship. The endowments must also deposit collected funds in a bank accredited by the Central Bank of Bahrain and notify the MOJIA. The amendment bans the endowments from receiving money from abroad without MOJIA approval.
- Penal code
 - **Confinement:** groups that operate outside of their registered places of worship or participate in activities not mentioned in the organisation's charter will likely face prosecution and fines.

- **Criticism of recognised religions:** the penal code calls for punishment of up to one year's imprisonment or a fine of up to 100 dinars (\$270) for offending one of the recognised religious groups or their practices or for openly defaming a religious figure considered sacred to members of a particular group.
- **Unregistration:** suspension of the group and the closure of its places of worship as well as its imprisonment of up to six months and fines of up to 50 Bahraini dinars (\$130) for individuals responsible for setting up the branch.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Bahraini Ombudsman exists as a financially and administratively autonomous secretariat within the Ministry of the Interior.

Social dimensions of RoRB

- **Registered non-Islamic groups:** according to the MOLSD's official website, 19 non-Muslim religious groups² were registered with the ministry.
- **Shia Muslims:** although Shiite communities are free to carry out religious observances, Shiite clerics and community leaders often face harassment, interrogation, prosecution, and imprisonment. The Islamic Ulema Council, a group of Shiite clerics, was banned

² the National Evangelical Church, Bahrain Malaylee Church of South India Parish, Word of Life International Church, St. Christopher's Cathedral and Awali Anglican Church, Full Gospel Church of Philadelphia, St. Mary and Anba Rewis Church (St. Mary's Indian Orthodox Cathedral), Jacobite Syrian Christian Association and St. Peter's Prayer Group (St. Peter's Jacobite Syrian Orthodox Church), St. Mary's Orthodox Syrian Church, Sacred Heart Catholic Church, The Church of Jesus Christ of Latter-day Saints, Church of Christ, Greek Orthodox Church, Pentecostal Church, Baps Shri Swaminarayan Mandir Bahrain (Hindu Temple), Indian Religious and Social Group (Hindu Temple), Spiritual Sikh Cultural and Social Group, St. Thomas Evangelical Church of Bahrain, Marthoma Parish, and the Anglican and Episcopal Church in Bahrain.

in 2014. The government revoked the citizenship of senior Shiite cleric Isa Qassim in 2016, and he was given a suspended one-year prison sentence for money laundering in 2017; he left Bahrain in 2018. Other Shiite clergy have been detained or questioned for taking part in protests or being suspected of doing so. Protests and police restrictions periodically obstruct access to mosques.

- **Unregistered non-Islamic groups:** non-Muslim, non-registered groups include the Baha'i, Buddhist, and Jewish communities.

Overview

- Confinement restriction tool is imposed.
- Fines and imprisonments are imposed for unregistered entities.
- Intrusive stipulations for registration (including personal details of founding members).
- Mandatory registration.
- State religion.
- Subjectivity exists which gives the government broad scope to restrict or deregister groups on accusations of misconduct which may be baseless.
- Unnecessary and inappropriate bureaucracy.

Positive elements

- Islam is the state religion.
- Existential recognition is only extended to the belief system of Islam while legal registration is offered to all other belief systems, denominations, and their communities and organisations.
- Discrimination exists in the government's registration process; groups should not be treated different because of the belief system to which they are associated.
- There exists one registration process for Islamic groups and another for all non-Islamic groups.
- The additional approval required from ministries other than the one tasked with dealing with the registration process is dubious as to the extent of their authority in the process.
- The imposition of mandatory registration contravenes the Bielefeldt provision.

- The excessive information requirements for registration suggests that such information could be unjustly used against the applicant group at a later date.
- The political situation in Bahrain highlights once more than political instabilities can cause minor or sometimes major impediments to freedom of religion or belief.

Recommendations

- A selection of minority groups have already received registration (though this should not be confused with the same recognition that Islam receives).
- Abolish confinement, excessive informational requirements, and multi-registration policies.
- Discontinue discriminatory registration procedures for Islamic and non-Islamic groups.

Restriction tools implemented

- Create a level playing field for all belief systems, their denominations, communities and organisations to access the same degrees of recognition and registration and via the same processes.
- Dissolve laws imposing imprisonment or fines on blasphemy (a dynamic recognition system that comes with broader education will help to resolve issues of insensitivity among the public).

History of RoRB classification

- Bahrain has been classified Censorious according to the SRR since the first iteration of the RoRB Index in 2021.

Bangladesh, People's Republic of — Restrictive

RoRB and national identity

- The Constitution of Bangladesh makes an explicit claim to freedom of religion or belief although this right is sometimes infringed upon in practice.
- The Constitution specifically claims “the State shall ensure equal status and equal right in the practice of the Hindu, Buddhist, Christian and other religions.”
- The Constitution of Bangladesh establishes Islam as the state religion without specifying a state denomination.

Recognition law

- Structures and procedures for existential recognition
 - There is limited information on existential recognition for religions in Bangladesh for this First Edition of *Recognition of Religion or Belief*.

Registration law

- Structures and procedures of legal registration
 - **Conditional registration:** the government allows groups operating only one religious building to conduct activities without needing to register; however, if a group operates or seeks to establish multiple places of worship, the government mandates that the group register with it. Registration requirements and procedures for religious groups are the same as for secular associations.
 - **Procedure:** for domestic groups not receiving foreign funding or assistance, the group must submit an application to the Ministry of Social Welfare.
 - **Secondary procedure:** if the group receives foreign assistance for development projects, it must register with the NGO Affair Bureau (NGOAB).

- **Legal designation:** non-government organisation (NGO) for groups receiving foreign funding.
 - **Informational requirements:** submission of certification that the name being registered is not taken (nominal restriction); provision of the bylaws/constitution of the organisation; a security clearance for leaders of the organisation from the national intelligence agency; minutes of the meeting appointing the executive committee; list of all executive committee and general members and photographs of principal officers; work plan; copy of the deed or lease of the organisation's office and a list of property owned and the group's annual budget.
 - **Qualifications:** a recommendation by a local government representative.
 - **Monitorial requirements:** all foreign-funded projects are monitored by the NGOAB.
- Evaluations
 - Any instance of conditional registration, such as mandatory registration for groups receiving foreign funds, is impermissible for RoRB standards.
 - Informational requirements are excessive and stretch beyond what RoRB standards state are permissible requirements.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Bangladesh as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Censorship of Islamic religious activity:** Islamic leaders said the government continued to influence the appointment and removal of imams and to provide guidance on the content of sermons to imams throughout the country.

- **Foreign staff:** expatriate staff must receive a security clearance from the National Security Intelligence, Special Branch of Police, and Directorate General of Forces Intelligence; the standards for these clearances are not specified.
 - **Hieronymy:** the importation of non-Islamic religious materials or devotional items into Bangladesh that “would offend religious sensitivities” is prohibited, both for personal but especially propagational use.
 - **Pastoral services:** the law does not guarantee prisoners regular access to clergy or regular religious services, but prison authorities may arrange special religious programs for them. Prison authorities are required to provide prisoners facing the death penalty access to a religious figure from a faith of their choice before execution.
 - **Restitution:** the Restoration of Vested Property Act allows the government to return property confiscated from individuals, mostly Hindus, whom it formerly declared enemies of the state. In the past, authorities used the act to seize property abandoned by minority religious groups that fled the country, particularly following the IndoPakistani War of 1965.
- Penal code
 - There is insufficient information about Bangladesh’s penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
 - Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Bangladesh to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Irreligious:** those with secular or nonconformist views can face societal opprobrium and attacks from hardline Islamist groups.
- **Hindus:** *in October 2019, a Muslim mob attacked Hindu residences in Barisal after false rumours circulated that a Hindu man posted blasphemous content on Facebook. In May 2020, in the same town, a mob attacked a Hindu man's shop and subsequently clashed with police, injuring 10 people. These incidents are part of a pattern in recent years in which violence against religious or other minorities appears to have been deliberately provoked through social media.*
- **Minorities:** members of minority groups—including Hindus, Christians, Buddhists, and Shiite and Ahmadiyya Muslims—face harassment and violence, including mob violence against their houses of worship.

Overview

- Islam is the state religion.
- Existential recognition is only extended to the belief system of Islam while legal registration is offered to all other belief systems, denominations, and their communities and organisations.
- It seems that much discrimination and persecution comes from the social settings; social upheavals and ostracisms occurring in the country are likely caused by lack of education and lack of acceptance of diversity which is in turn caused by lack of equal recognition.
- The requirements for registration are restrictive, particularly concerning is the requirement of a recommendation from a local government representative which places undue restriction on the registration process and broader scope for the government to deny applicants unjustly.

Positive elements

- There is a registration system set in place although it requires improvements in order to make it more receptive and ultimately dynamic.

Recommendations

- Create a separate system and distinct procedures for registration of religion or belief from secular entities.
- Establish one agency to deal with religious recognition and registration in order to processes.
- Abolish borderline excessive informational requirements, excessive qualifications, nominal restriction and the involvement of a secondary procedure as part of the registration process.

Restriction tools implemented

- Excessive and intrusive requirements for the registration process which transition the country into restrictivity.
- Mandatory registration for religious groups.
- State religion.
- Unnecessary bureaucracy.

History of RoRB classification

- Bangladesh has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Barbados — Apathetic

RoRB and national identity

- The Constitution of Barbados makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice.
- Barbados is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Barbados.
- Evaluations
 - The lack of existential recognition in Barbados demonstrates there to be an issue of the amalgamation of existential recognition and legal registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups are not required to register with the government to conduct religious activities classified as “basic” by RoRB standards.
 - **Procedure:** groups must file customs and tax forms with the Corporate Affairs and Intellectual Property Office.
 - **Legal designation:** religious groups may either file as a charity³ or as a society⁴.

³ <https://caipo.gov.bb/corporate-affairs/registration-of-charity/#show>

⁴ <https://caipo.gov.bb/corporate-affairs/registration-of-society/#show>

- **Qualifications:** to qualify, the group must have passed a resolution among its board of trustees authorising the application.
 - **Informational requirements:** the statutory declaration of the group.
 - **Registration fee:** \$750 to register as a society; free to register as a charity.
 - **Registration benefits:** duty-free import privileges and tax reductions or exemptions.
- Evaluations
 - Stipulatory registration is permissible for RoRB standards as long as stipulations are not made to involve “basic religious activities”.
 - The registration procedure does not seem onerous which is welcomed.
 - The registration fee for registration as a society exceeds the \$100 threshold set down in RoRB standards for the registration of religious groups.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Barbados as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Barbados is permitted without restriction, both for personal and propagational use.
 - **Religious education:** at the primary school level, the focus of religious instruction is nondenominational Christianity. At the secondary school level, all major religions are included.
- Penal code

- There is nothing of concern to RoRB standards in the present incarnation of the Barbadian penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the current ombudsman of Barbados is Valton Bend; the position of the ombudsman is appointed by the Governor-General since the Ombudsman Act of 1980.

Social dimensions of RoRB

- **Minorities:** members of Barbados's small Rastafarian and Muslim communities have reported some discrimination.

Overview

- Only legal registration for denominations and organisations based on belief exists; no procedures for existential recognition exist.
- Although freedom of religion or belief for citizens of Barbados is generally upheld by the government, concerns remain in recognitionist theory for countries that have no structure for a system to recognise different entities that pertain to belief identities of citizens.
- Reports of discrimination from two of the smaller minorities of the country remains a concern but if these are being conducted at the social level then greater awareness and recognition will lead to higher levels of education and acceptance of diversity which will in turn solve these issues.

Positive elements

- Freedom of religion or belief is broadly though not universally upheld.

Recommendations

- Establish a distinct system for existential recognition apart from legal registration.
- Provide broader provisions within the legal registration framework beyond that of tax-exemption such as opportunities for state grants.
- Abolish excessive registration fee.

Restriction tools implemented

- Stipulatory registration.
- Unstructure exists.

History of RoRB classification

- Barbados has been classified Apathetic according to the SRR since the first iteration of the RoRB Index in 2021.

Belarus, Republic of — Censorious

RoRB and national identity

- The Constitution of Belarus makes an explicit claim to freedom of religion or belief although this right is regularly infringed upon in practice by the government.
- The Republic of Belarus is a secular state.
- However, the government extends state privilege to the Belarusian Orthodox Church.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreement:** a concordat between the authorities and the BOC provides the Church with autonomy in its internal affairs, freedom to perform religious rites and other activities, and a special relationship with the state. The concordat recognizes the BOC's "influence on the formation of spiritual, cultural, and national traditions of the Belarusian people." Although the concordat states that it does not limit the religious freedom of other religious groups, it calls for the authorities and the BOC to combat unnamed "pseudo-religious structures that present a danger to individuals and society." The concordat serves as the framework for at least a dozen cooperation agreements between the BOC and individual state agencies, including with the Ministries of Defense, Healthcare, and Information. There is also an agreement with the Ministry of Education through 2025 that provides for joint projects for the "spiritual and moral education" of students based on BOC traditions and history.
 - **State privilege:** the BOC, unlike other religious communities, receives state subsidies pursuant to presidential orders. In addition, the BOC possesses the exclusive right to use the word "orthodox" in its title and to use as its symbol the double-barred image of the Cross of Saint Euphrosyne, the country's Orthodox patron saint.

- Evaluations
 - The BOC possess a concordat that secures and perpetuates its state privilege.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government has made it a criminal offence for religious groups to fail or refuse to register with the government. The Office of the Plenipotentiary Representative for Religious and Nationality Affairs (OPRRNA), subordinate to the Council of Ministers, regulates all religious matters.
 - **Legal designations:** (in ascending order of status) religious community, religious association and national religious association.
 - **Vertical registration system:** a three tiered system categorises religious groups according to membership quotas and longevity quotas.
 - **Procedure:** religious groups vying for any of the three legal categories must submit their registration applications to both the regional government authority and the local municipal authority and for groups inside the capital Minsk, applications must be sent to both the regional government authority and the Minsk city authority (creating secondary procedures of registration).
 - **Religious community:** must include at least 20 persons over the age of 18 who live in one or more adjoining areas (**geographic and membership quotas**).
 - **Informational requirements:** a list of its founders' names, places of residence, citizenship, and signatures; copies of its founding statutes; the minutes of its founding meeting; and permission from the regional authorities confirming the community's right to occupy or use any property referenced in its founding statutes. The community must submit any texts written by its founder or considered sacred by the followers of the religion, information about prohibitions on clergy or

adherents, a list of countries where the religion is widely practiced, and a list of countries officially recognising the religion. It also must submit information about countries that have refused to recognize the religion and information about court cases against followers of the religion in other countries.

- **Doctrinal evaluation:** A religious group not previously registered by the government must also submit information about its beliefs which will be reviewed by a state-appointed commission of experts on religion. The commission evaluates the fundamental teachings of the religion; rituals, practices, history, and forms and methods of activities; welfare and charitable services; proselytising and missionary activities; approaches towards marriage and family; educational activities; attitudes toward health care; and compliance with legal requirements. A government's censorship of religious literature through evaluation of doctrines is impermissible and demonstrates the country's worthiness for classification as Censorious.
- **Registry duration:** up to six months for doctrinal evaluation to be completed.
- **Religious association:** must include at least 10 religious communities, one of which must have been active in the country for at least 20 years (**community and longevity quotas**).
 - **Procedure:** applications must be submitted to the OPRRNA.
 - **Regulatory interval:** the OPRRNA must respond within 30 days.
 - **Denial of registration:** grounds for refusal are the same as for religious communities, except they also include failure to comply with requirements for establishing an association rather than a community.
 - **Remedial procedure:** refusals or a failure by OPRRNA to respond within the 30-day period may be appealed in court.
 - **Informational requirements:** an official application with a copy of the founding statutes, a list of members

of the managing body with biographical information, proof of permission for the association to be at its designated location, and the minutes from its founding congress.

- **Registration benefits:** the right to establish religious educational institutions and to organise monastic activities.
- **National religious association:** formed only when they comprise active religious communities in at least four of the country's six regions.
 - **Informational requirements:** an official application with a copy of the founding statutes, a list of members of the managing body with biographical information, proof of permission for the association to be at its designated location, and the minutes from its founding congress.
- **Denial of registration:** permissible grounds for denial of registration are broad and include failure to comply with requirements for establishing a community, an inconsistent or fraudulent charter or other required document, violations of the procedures to establish religious organisations, or a negative evaluation by the state-appointed religious commission of experts. Communities may appeal refusals in court.
- **Unregistration:** the law prohibits all religious activity conducted by unregistered groups.
- **Deregistration:** the law permits state agencies in charge of registration to issue written warnings to a registered religious group for violating any law or undertaking activities outside the scope of responsibilities in the group's charter. The government may apply to a relevant court, depending upon jurisdiction, to shut down the group if it has not ceased the illegal activity outlined in the written warning within six months or if the activity is repeated within one year of the warning. The government may suspend activities of the religious group pending the court's decision. The law does not contain a provision for appealing a warning or suspension.
- **Preapproval:** prior approval by the government is required even for the most basic of religious activities.

- **Confinement:** the law confines the activities of religious communities and associations to the jurisdictional area where they are registered.
- **Registration rate:** according to OPRRNA data, as of January 1, there were 25 religious faiths and denominations registered in the country, encompassing 3,395 religious communities and 174 religious associations, monasteries, missions, brotherhoods, sisterhoods, and schools. The BOC has 1,714 religious communities, 15 dioceses, six schools, 35 monasteries, one mission, 15 brotherhoods, and 10 sisterhoods. (The latter two are clergy-led lay organizations.) The Roman Catholic Church has four dioceses, six schools, 11 missions, nine monasteries, and 499 communities. Protestant religious organizations of 13 denominations encompass 1,039 religious communities, 21 associations, 22 missions, and five schools. There are 34 registered religious communities of Old Believers. There are three Jewish religious associations – Orthodox, Chabad-Lubavitch, and Reform Judaism – comprising 51 communities. There are 24 Muslim religious communities – 23 Sunni and one Shia – registered. The national religious associations are the BOC, Roman Catholic Church, Old Believers Church, Union of Evangelical Christian Baptists, Union of Christians of Evangelical Faith, Confederation of Christian Seventh-day Adventists, Association of New Apostolic Churches, Union of Full Gospel Christian Churches, Association of Jehovah's Witnesses, Union of Evangelical-Lutheran Churches, Jewish Religious Union, Association of Jewish Religious Communities, Union of Reform Judaism Communities, Muslim Religious Association, Spiritual Board of Muslims, and the Religious Association of Baha'is.

- Evaluations

- The Belarusian government's instituting of registration as a mandatory requirement and unregistration as a criminal offence is impermissible to RoRB standards.

- The informational requirements requested significantly breach RoRB standards.
- All aspects of the present incarnation of the Belarusian recognition system are geared towards the systematic control of religion and belief and the repression of all forms of religious activity considered unfavourable by the government.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Belarus as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign clergy:** only registered religious associations may apply to OPRRNA for permission to invite foreign clergy to the country. OPRRNA must grant permission before foreign clergy may serve in local congregations, teach or study at local institutions, or participate in charitable work. The authorities generally grant such permission for a period of one year, which may be reduced or extended. OPRRNA has 30 days to respond to requests for foreign clergy permits (religious visas) and may deny requests without explanation. If OPRRNA does not respond, permission is not granted. There is no provision for appeals.
 - **Foreign missionary activity:** by law, the authorities permit foreign missionaries to engage in religious activity only in the territorial area where their religious association is registered. Transfers of foreign clergy within a religious association, including from one parish to another, require prior permission from the authorities. By law, foreigners may not lead religious groups. Authorities may reprimand or expel foreign citizens who officially are present in the country for nonreligious work if they lead any religious activities. Law enforcement agencies on their own initiative or in response to recommendations from other state agencies, such as the

security service, may require foreign clergy to depart the country – a decision which may not be appealed.

- **Hierony:** the importation of religious materials or devotional items into Belarus, both for personal and propagational use, is restricted and is contingent on the importer receiving preapproval from the government. The law requires all religious groups to receive prior governmental approval to import and distribute religious literature. The approval process includes official examination of the documents by state-appointed religious studies experts.
- **Private religious gatherings:** *the housing code permits religious groups to hold services at residential premises if local authorities grant permission. Local authorities must certify the premises comply with a number of regulations, including fire safety, sanitary, and health code requirements. The government does not grant such permission automatically, and the law does not permit religious groups to hold services in private residences without prior permission from local authorities.*
- **Reimbursement system:** *the government has a system of reimbursements for security, medical, and cleaning services required from organisers of mass events, including religious events held outside of religious premises and sites, rallies, competitions, cultural events, festivals, concerts, and similar occasions. If an application is approved, organisers must sign contracts for such services two days in advance and must reimburse all costs within 10 days.*
- **Proselytism:** by law, all religious groups must obtain permits to hold events outside their premises, including proselytising.
- **Public religious events:** the law requires organisers to notify authorities of a mass event, including those involving religious groups, planned at a designated location no later than 10 days before the event. Authorities must inform organisers of a denial no later than five days before the event. Denials may be issued for one of two reasons: the event conflicts with one organised by a different individual or group; or the notification does not comply with regulations.

Organisers of mass events outside designated locations must apply at least 15 days in advance, and authorities are required to respond no later than five days prior to the event.

- **Religious education:** the law permits only registered religious groups that are members of national religious associations to organise extracurricular religious activities at educational institutions. The law states the national religious association must first conclude an agreement on cooperation with the Ministry of Education; the BOC is the only religious group to have such an agreement. Even with such an agreement in place, students who wish to participate in voluntary “moral, civic, and patriotic education” in collaboration with religious groups must either provide a written statement expressing their desire to participate or secure their legal guardians’ approval. According to the law, “Such education shall raise awareness among the youth against any religious groups whose activities are aimed at undermining Belarus’s sovereignty, civic accord, and constitutional system or at violating human rights and freedoms.” The law prohibits religious groups from conducting activities in any school without identifying themselves, regardless of whether there is an agreement with the Ministry of Education. It also prohibits visits from representatives of foreign religious groups; missionary activities; collections of donations or fees from students for religious groups or any charity; distribution of religious literature, audio, video, and other religious materials; holding prayer services, religious rituals, rites, or ceremonies; and placing religious symbols or paraphernalia at educational institutions.
- **Training clergy:** the law permits associations and national associations to establish schools to train clergy but does not permit religious communities to do so.
- Penal code
- **Unregistration:** 870 Belarusian rubles (\$340) for organising, running, or participating in unregistered religious groups or

imprisoned for up to two years for repeat offences; the amount fined was lowered by the government on January 6 2021.

- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Belarus to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Belarus for this First Edition of *Recognition of Religion or Belief*.

Overview

- The existent recognition system primarily focuses on legal registration; however, the provision of legal registration in Belarus does not correspond to official recognition.
- The vertical system in which different procedures exist for the categories of registration exists to segment and ultimately hinder religious activity as perpetuated through the bureaucratic system; the system is based on a hierarchy of membership quotas.
- The mandatory registration laws severely contravene the Bielefeldt provision.
- Excessive and intrusive informational requirements make the process of registration particularly censorious; this approach by the government highlights their commitment to censoring religious activity.
- Laws on religious activities and events are heavily censorious, so much so that even private residences are not legally permissible to hold religious events without first being granted state permission.

Positive elements

- Nil.

Recommendations

- Disestablish and dismantle the abusive recognition and registration system so that a new one that is more receptive may take its place in order for Belarus to climb the Spectrum of Religious Recognition.
- Dissolve mandatory registration and excessive requirements.
- Exchange vertical recognition for horizontal.
- Provide genuine legal registration and provide existential recognition.
- Abolish the policy of confinement, community quotas, excessive informational requirements, membership quota, geographic quota, and the preapproval of basic religious activities.

Restriction tools implemented

- Confinement restriction tool.
- Excessive informational requirements that are likely to be used for later ill-treatment.
- Importation and distribution of materials of a religious or philosophical nature is censored as these must first be reviewed by authorities to check their suitability.
- Mandatory registration.
- Mass religious events are heavily restricted.
- Proselytism is heavily restricted.
- Retributions in the form of fines exist.
- Requirements for registration are restrictive (including membership quotas).
- State appointment of experts to studied beliefs and practices of governments is highly censorious.
- Unnecessary bureaucracy.
- Use of violence as a means of maintaining the restrictive system in Belarus gives it the classification of 'censorious.'
- Vertical recognition is applied.

History of RoRB classification

- Belarus has been classified Censorious according to the SRR since the first iteration of the RoRB Index in 2021.

Belgium, Kingdom of — Receptive

RoRB and national identity

- The Constitution of Belgium makes an explicit claim to freedom of religion or belief, a claim the government broadly upholds in practice.
- The Kingdom of Belgium is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - **Official recognition:** Catholicism, Protestantism, Judaism, Anglicanism, Islam, Orthodox Christianity and secular humanism have also received existential recognition from the state. A distinction is made between legal registration and existential recognition in Belgium with the latter conferred to brief systems and the former to individual places of worship.
 - **Denominational recognition:** Denominations or divisions within the recognised religious groups (Shia Islam, Reform Judaism, or Lutheranism, for example) do not receive support or recognition separate from their parent religious group. Parent religious groups distribute subsidies according to their statutes, which may also include salaries to ministers and public funding for renovation or facility maintenance.
 - **Procedure:** religions seeking recognition must send applications to the Ministry of Justice which handles recognition affairs in the country. The federal parliament is responsible for making a final approval with recommendation from the Ministry of Justice also necessary.
 - **Qualifications:** the criteria for recognition relies heavily on legislative precedents and also stipulates that the religious group must have a structure or hierarchy, a “sufficient number” of members, and a “long period” of existence in the country. It must offer “social value” to the public, abide by the laws of the state, and respect public order. The

government does not formally define “sufficient number,” “long period of time,” or “social value.”

- **Interlocutor:** a recognised religion must possess an official interlocutor who is responsible for the certification of clergy and teachers of the religion, assistance in the development of religious curriculum, and oversight of the management of houses of worship.
 - **Recognition benefits:** the federal government provides financial support for officially recognised religious groups. Federal government subsidies include direct payment of clergy salaries and pensions, while regions subsidise maintenance and equipment costs for facilities and places of worship, as well as clergy housing, and oversee finances and donations when the legal exemption amount is exceeded.
 - **Probationary period:** the Flemish government has a policy of conducting enhanced security screening for possible radicalisation of imams or worshippers and against foreign influence at mosques, including by requiring all religious communities and places of worship to submit to a four-year probation period prior to official recognition. This policy applies to all places of worship regardless of religion.
 - **Unrecognition:** unrecognised groups do not receive government subsidies but may worship freely and openly. Three organisations outside of the recognised religious groups also receive subsidies by law: the Belgian Muslim Executive, the Belgian Buddhist Union, and the Secular Central Council.
 - **Non-response:** an application from the Belgian Hindu Forum for the government to recognize Hinduism as a religion, submitted in 2013, remained pending, as did its application to receive a government subsidy. There were no other pending requests by religious groups.
- Evaluations
 - Existential recognition is granted and so recognition is not amalgamated with registration which is welcomed however existential recognition bestowal remains accessible to only a

select few belief systems, denominations and communities which is an area of improvement.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups or individual congregations register with it or seek recognition from it in order to conduct basic religious activities although there financial and legal benefits intertwined into doing so.
 - **Procedure:** individual religious congregations or places of worship must submit a registration application to local government in the region the group is located and the federal Ministry of Justice (**secondary procedure**). It is suggested in the legislation that there are regional differences for registration law for places of worship.
 - **Alternative procedure:** Houses of worship or other religious groups that are unable or choose not to meet these requirements may organise as nonprofit associations and benefit from lower taxes but not government subsidies. Houses of worship in this situation (i.e., not completing the recognition process) may still be affiliated with an officially recognised religious group.
 - **Qualifications:** transparency and legality of accounting practices, renunciation of foreign sources of income for ministers of religion working in the facility, compliance with building and fire safety codes, and certification of the minister of religion by the relevant authority; the appointment of an official interlocutor is also a necessary qualification.
 - **Registration benefits:** recognised houses of worship also receive subsidies from the linguistic communities and municipalities for the upkeep of religious buildings.
 - **Termination:** on June 4, the Flemish government approved a decree to resume accepting and reviewing applications for recognition by religious houses of worship that then regional Interior Minister Liesbeth Homans had suspended in 2017. In 2020, a senior Flemish government official

estimated there were 50-100 local places of worship with pending applications for recognition, some dating back to the 2017 moratorium. Local media reported in June that in the province of Antwerp alone, 31 mosques were awaiting official recognition.

- **Registration rate:** at year's end, there were 87 recognized mosques, the same number as at the end of 2020 – 39 in Wallonia, 27 in Flanders, and 21 in Brussels. The Belgian Muslim Executive estimated there were a total of 300 mosques in the country, both recognized and unrecognized.

- Evaluations

- Stipulatory registration is permissible as long as its stipulations do not come to effect “basic religious activity”.
- Stated qualifications are not all permissible, namely the renunciation of foreign sources of income and the “certification of the minister of religion by a relevant [authority]”.

Law and policy on religion and belief

- Self-identification

- **Religious attire:** it's illegal to wear in public places (parks, buildings, public transport, on the street etc.) clothing that hides a person's face largely or completely. People wearing such clothing (e.g. the burka and niqab) risk a fine of up to €137.50 and/or detention for up to 7 days. There's no exemption for tourists.

- Communal activity

- **Hieronymy:** the importation of religious materials or devotional items into Belgium is permitted without restriction, both for personal and propagational use.

- Penal code

- There is nothing of concern to RoRB standards in the present incarnation of Belgium's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is one federal ombudsman (the Federal Ombudsman) and four regional statutory ombudsman agencies (Vlaamse Ombudsdienst, Walloon Ombudsman, French Community Ombudsman, Ombudsman of the German-Speaking Community) in Belgium. Unia is a publicly funded independent agency responsible for reviewing discrimination complaints, including those of a religious nature, and attempting to resolve them through mediation or arbitration. The agency lacks legal powers to enforce resolution of cases but may refer them to the courts.

Social dimensions of RoRB

- **Muslims:** during the year, according to Justice Minister Van Quickenborne and reported by media outlet La Libre, mosque applications for government recognition stagnated due to changes in the leadership of the Muslim Executive and an announced internal restructuring of the organisation, as well as unfavourable decisions by intelligence services following the review of some mosques' applications. Some observers continued to state that a number of mosques opted not to seek official recognition because they received sufficient foreign funding and preferred to operate without government oversight. Some observers stated the lengthy, bureaucratic process of obtaining recognition also acted as a deterrent.
- On June 9, Flemish Minister of Civic Integration Bart Somers withdrew the recognition of a Pakistani mosque in Antwerp due to what he said was its failure to meet the criteria of social value. Somers stated the mosque disrupted social cohesion and had insufficient support within the community. According to the civil intelligence service, Surete d'Etat, the mosque had faced internal disputes since 2013, which in some cases required police intervention. On October 18, Somers withdrew recognition of the De Koepel Mosque in Antwerp for what he

said was a failure to meet administrative obligations, such as providing annual accounts, budget, and board meeting records.

- According to local media and academics, recognition applications by eight mosques in the Brussels-Capital region remained pending. Minister of Justice Van Quickenborne denied recognition to the Great Mosque of Brussels in December 2020 after a negative report from Surete d'Etat. The Surete cited what it described as questionable ties to Moroccan authorities.

Overview

- The Belgian recognition system is focused on existential recognition of belief systems but is not dynamic in the sense that it doesn't afford forms of recognition to individual denominations separately from the belief system; in some senses, the Belgian system lacks clarity in the area of legal registration.
- The significant degree of legal ambiguity in the current Belgian recognition system and its heavy reliance upon the constitution and laws predating the constitution is worrisome for the country to achieve a dynamic approach to religious recognition.
- However, the degree of support it provides recognised groups means it shows dynamic qualities.
- Final approval bestowed to the federal parliament makes recognition in Belgium a political decision yet freedom of religion or belief provisions should remain ectopolitical.

Positive elements

- Horizontal recognition.
- Procedures exist that do somewhat, but not entirely, correspond to the levels of recognition framework.

Recommendations

- Establish an independent recognition agency to ensure that politicisation of decisions regarding registration and recognition does not occur.
- Implement procedures that reduce reliance on legislative precedents and clarify any areas of policy that remain ambiguous.

- Abolish secondary procedures of the registration process.

Restriction tools implemented

- Ambiguity as to procedures for legal registration.
- Federal decisions on religious recognition politicise the right to religious and belief freedom.
- Membership quotas applied.
- Stipulatory registration.
- Subjectivity and heavy reliance of legislative precedents make for an unclear process for recognition of a belief system.

History of RoRB classification

- Belgium has been classified Receptive according to the SRR since the first iteration of the RoRB Index in 2021.

Belize — Restrictive

RoRB and national identity

- The Constitution of Belize makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice.
- Belize is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - By law, the BCC, a board that includes representatives from several major Christian denominations, and the Belize Association of Evangelical Churches (BAEC) alternate in appointing the church senator to the Senate, with the Governor General's concurrence. The BCC includes the Anglican, Catholic, Methodist, and Presbyterian Churches, as well as the Salvation Army, the Chinese Christian Mission, Seventh-day Adventists, and the Young Women's Christian Association. The BAEC includes evangelical Protestant groups, the Church of Christ, and the Assembly of God Church, but it excludes the NEAB, which separated in 2015 due to political differences. The church senator also represents non-Christian groups, which participate in the church senator's activities but have chosen not to play a role in the senator's appointment. By law, the church senator provides advice on public policy affecting the political positions of religious groups. This senatorial seat places the political interests of religious leaders on par with three other senators, who are appointed to represent labor unions, the business community, and the NGO community, respectively. The Senate is the upper chamber of the country's two-part National Assembly; members of the House of Representatives run for election, while senators are appointed.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all religious groups register with it in order to operate legally in the country and to conduct basic religious activities. There is little distinction made between registered religious groups and registered companies.
 - **Procedure:** religious groups must submit an application to the Companies Registry, part of the Ministry of the Attorney General.
 - **Registration benefits:** legal operation in the country, receiving state recognition (meaning legal registration and existential recognition are amalgamated), to negotiate, sue and be sued, to own property, to hire employees, and to lend or borrow money. The government does not levy property taxes on churches and other places of worship⁵. Eligibility for financial assistance from the government for charitable and humanitarian work.
 - **Registration fee:** one-time fee of 295 Belize dollars (\$150) at registration.
 - **Recurrent fee:** annual recurrent fee of five Belize dollars (\$2.50).
 - **Informational requirements:** a memorandum of association delineating the group’s objective and mission, an article of association, and a letter from the central bank if the organisation has foreign financial contributor.
 - **Unregistration:** failure to register can lead to the government forcibly shutting down a group.

- Evaluations
 - The imposition of a mandatory registration policy is impermissible to RoRB standards; the registration benefit of “legal operation in the country” implies that unregistered groups are not operating legally.
 - Unregistration leading to a group being forcibly shut down is impermissible to RoRB standards.

⁵ other church-owned buildings occupied on a regular basis, such as clergy residences, are not tax-exempt.

- Insufficient distinctions are made between registered religious groups and registered secular entities like companies.
- The current registration fee goes beyond the threshold of \$100 set by RoRB standards; the recurrent fee is permissible as it is less than 50% of the original fee.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Belize as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Charitable work:** registered religious organisations may also partner with the state to operate schools, hospitals, and other charity organisations and, depending on funding availability, receive financial assistance from the government.
 - **Foreign missionary activity:** to enter the country and proselytize, foreign religious workers require a multi-entry visa, which costs 100 Belize dollars (\$50) and is valid for one year. Applicants must also purchase a religious worker's permit, costing 50 Belize dollars (\$25). The visas are renewable on an annual basis. Visa information questions include an applicant's intended length of stay, location of service, funding availability for activity, and specific purpose. Members of all religious groups are eligible to obtain visas. While a group does not need to be locally registered, a recommendation by a locally registered religious group lends more credibility to the visa request, according to local authorities.
 - **Hieronymy:** the importation of religious materials or devotional items into Belize is permitted without restriction, both for personal and propagational use.

- **Pastoral services:** the law grants respect for inmates' religious beliefs, and inmates may participate in religious activities in prison. Religious leaders may request use of the chapel inside the facility and offer religious services to inmates. The law prohibits prison authorities from requiring unnecessary work by prisoners on Sunday and other major Christian holidays (Christmas and Good Friday) and by prisoners recorded as belonging to other religions on their recognized days of religious observance. The law allows the provision of religious scriptures and other books of religious observance to prisoners. Authorities allow inmates to communicate with religious officiants via mail. The Belize Defense Force retains a nondenominational chaplain and space for religious observance. With the prior consent of authorities, any religious group may use the space for worship.
- Penal code
 - There is insufficient information about Belize's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Belize to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Belize for this First Edition of *Recognition of Religion or Belief*.

Overview

- The recognition system is primarily focused on legal registration of organisations based on belief rather than existential recognition for belief systems and their derivatives; it seems that

registration and recognition are amalgamated and that legal registration equates to existential recognition rather than the idealised differentiation between registration and recognition.

- The rule of mandatory registration violates the Bielefeldt provision.

Positive elements

- Appropriate requirements for legal registration exist; informational requirements seem appropriate although monitoring is advisable.
- Procedures for legal registration and subsequently religious activity, including missionary activity, are not onerous.
- Horizontal recognition is applied.

Recommendations

- Establish an independent recognition agency and provide greater differentiation on existential recognition with an adaptive and welcoming approach to new religious movements in order for Belize to be dynamic.
- Greater distinction needs to be made between registration processes for religious entities and secular entities.
- Abolish excessive registration fee and the rule that administering a property is made subject to registration as well as the rules around unregistration leading to the forced closure of groups.

Restriction tools implemented

- A relatively small degree of unstructure exists when it comes to existential recognition.
- Mandatory registration.
- Registration fee exceeds the \$100 mark for acceptable fees.

History of RoRB classification

- Belize has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Benin, Republic of — Restrictive

RoRB and national identity

- The Constitution of Benin makes an explicit claim to freedom of religion or belief, a claim the government sometimes infracts upon in practice.
- The Republic of Benin is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Benin.
- Evaluations
 - The lack of existential recognition in Benin demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that religious groups register with it in order to conduct basic religious activities.
 - **Procedure:** religious groups must submit an application to the Ministry of Interior.
 - **Legal designation:** there are two legal designations called religious group and religious affiliation.
 - **Informational requirements:** administrative materials including the applicant's birth certificate, police record, request letter, copy of identification, and the group's internal rules.

- **Registration benefits:** religious groups may establish private schools with authorization from the state and may benefit from state subsidies.
 - **Registration fee:** 50,000 CFA francs (\$86).
 - **Unregistration:** the Ministry of Interior may order the closure of a group's facilities until the group registers.
- Evaluations
 - Instituting a mandatory registration policy is impermissible to RoRB standards.
 - The registration fee imposed sits just below the \$100 threshold set down by RoRB standards as permissible.
 - The fact that the Ministry of Interior has the power to order unregistered groups to close is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Benin as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Benin is permitted without restriction, both for personal and propagational use.
 - **Religious events:** government officials continued to attend inductions, funerals, and other religious ceremonies organised by religious groups while observing COVID-19 prevention measures. State-owned television often broadcast these events. Police continued to provide security for religious events upon request.
- Penal code

- There is insufficient information about Benin's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Benin to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Voodoo practitioners:** *Benin is one of the main centres of voodoo practices and that culture remains prevalent. Research should be conducted to ensure one respects religious and social traditions to avoid offending local sensitivities.*

Overview

- Legal registration is the primary focus of the recognition system in Benin rather than existential recognition.
- A lack of knowledge persist as to how much discrimination exists within the Beninese recognition system but if administrative materials and a fee are the extent of requirements then this amounts to a receptive system, but certainly not a dynamic one.
- The rule of mandatory registration contravenes the Bielefeldt provision.
- Informational requirements and fees seem appropriate but require monitoring for post-registration use.

Positive elements

- Religious freedom is broadly upheld in practice by the government.
- Non-discriminatory registration processes.
- Horizontal recognition is applied.

Recommendations

- Abolish borderline excessive informational requirements and the stringent rules around unregistration used as the basis for the forced closure of religious groups.
- Establish separate procedures for the registration of belief-based organisations and the recognition of belief systems themselves.

Restriction tools implemented

- A relative degree of unstructure exists.
- Informational requirements require monitoring to ensure they remain appropriate.
- Mandatory registration.

History of RoRB classification

- Benin has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Bermuda — Apathetic

RoRB and national identity

- UK law on religious recognition is not applied in Bermuda.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Bermuda.
- Evaluations
 - The lack of existential recognition in Bermuda demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in Bermuda as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Bermuda as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity

- **Hieronymy**: the importation of religious materials or devotional items into Bermuda is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present incarnation of Bermuda’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: the Office of the Ombudsman for Bermuda was established in the Bermuda Constitution and is governed by the Ombudsman Act of 2004.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Bermuda for this First Edition of *Recognition of Religion or Belief*.

Overview

- Unsure of the existence of a recognition system – perhaps connected to the United Kingdom as a British Overseas Territory.

Restriction tools implemented

- Non-percolative recognition

History of RoRB classification

- Bermuda has been classified Apathetic according to the SRR since the first iteration of the RoRB Index in 2021.

Bhutan, Kingdom of — Censorious

RoRB and national identity

- The Constitution of Bhutan makes an explicit claim to freedom of religion or belief although this right is regularly infringed upon in practice by the government, especially for non-Buddhists.
- The Constitution defines Buddhism as the “spiritual heritage of Bhutan”.
- Vajrayana Buddhism is established as the state denomination of Bhutan. Some have referred to Buddhism more broadly as Bhutan’s state religion.
- The Druk Gyalpo (King) is responsible for appointing the senior religious leader the Je Khenpo and for managing the Dratshang Lhentshog (The Commission for Monastic Affairs).

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Vajrayana Buddhism in Bhutan.
 - *The government continued its financial assistance for the construction of Buddhist temples and shrines as well as funding for Buddhist monks and monasteries. According to the NGO Minority Rights Group International, authorities gave Buddhist temples priority over Hindu temples in the licensing process.*
- Evaluations
 - The lack of existential recognition in Bhutan for any denomination other than Vajrayana Buddhism is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration

- **Mandatory registration:** the government mandates all religious groups register with it in order to conduct even “basic religious activities” as classified by RoRB standards. Broad bylaws exist for registered religious groups.
- **Procedure:** religious groups must submit an application to the Commission for Religious Organisations (CRO).
- **Role of the CRO:** *the law requires the CRO to “ensure that religious institutions and personalities promote the spiritual heritage of the country” by developing a society “rooted in Buddhist ethos.” The law states the CRO shall consist of an eight-member board responsible for overseeing the structure of religious institutions, enforcing the constitutional separation between the government and religious organisations, and monitoring religious fundraising activities. The chairperson of the board is a cabinet minister appointed by the Prime Minister, who as of early 2020 was also the Minister of Home and Cultural Affairs. A senior official from the Ministry of Finance and one of the King’s appointees to the National Council also sit on the board. The director of culture in the Ministry of Home Affairs serves ex officio as secretary. Heads of Buddhist religious organisations and the Hindu Dharma Samudaya, a registered Hindu organisation, occupy the remaining seats.*
- **Qualifications:** all leaders of the group must be Bhutanese citizens and their educational background as well as financial assets must be disclosed to the CRO.
- **Registration benefits:** may raise funds for religious activity and are exempt from paying taxes.
- **Preapproval and confinement:** registered groups require permission from local government authorities to hold public meetings outside of their registered facilities.
- **Unregistration:** unregistered religious groups may hold private worship services in homes but they are prohibited from organising public religious services, owning property, raising funds, conducting outreach activities, and importing literature.
- **Registration rate:** *there were no applications to register religious organizations during the year, compared with 14 in 2020. There was no information available regarding the*

composition of the 14 groups. There were 139 religious organizations registered with the government as of December: 137 Buddhist and two Hindu. The CRO took no action on any pending church registration requests. The government did not offer any official explanation to applicants.

- Evaluations
 - Imposing a mandatory registration policy violates the Bielefeldt provision and thereby is impermissible to RoRB standards.
 - Various “basic religious activities” are prohibited from taking place for unregistered groups in Bhutan which is impermissible to RoRB standards.
 - The stipulation that all leaders of the denomination be Bhutanese citizens is also impermissible to RoRB standards.
 - Imposing preapproval and confinement policies on religious groups, especially those unfavoured by the government, is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Bhutan as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Bhutan for personal use is permitted without restriction. However, the legality of importing religious materials or devotional items into Bhutan for propagational use remains unclear and will likely be subjected to restrictions if not outright prohibition.
 - **Missionary activity and foreign funds:** a religious group must seek permission from the Ministry of Home and Cultural Affairs to invite foreign speakers or receive foreign funds.

- **Places of worship:** *government approval is required to construct religious buildings. By law, all buildings, including religious structures, must adhere to traditional architectural standards. The CRO determines conformity with these standards.*
- **Private religious activity:** all Bhutanese citizens can worship freely in private.
- **Proselytism:** *international NGOs continued to report that the lack of clarity in the law addressing “inducements” to conversion placed the activities of minority religious groups at risk of legal sanction, although the country’s religious minority groups reported no such sanction or pressure during the year.*
- **Public religious activity:** *the law permits the government to “avoid breaches of the peace” by requiring licenses for public assembly, prohibiting assembly in designated areas, and imposing curfews. The government may apply these measures to groups and organisations of all kinds, including religious groups.*
- **State definition of religion:** *the CRO has the authority to determine whether the content of a group’s religious teachings is false or misleading and whether it has raised funds illegally. Sanctions include fines and potential revocation of registration.*
- Penal code
 - **Unregistration:** the imposition of fines or the imprisonment of group members and leaders depending on the nature of the offence and its regularity.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Bhutan to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians:** Christian churches have often been unable to obtain registration from the government, which means that they cannot raise funds or buy property, placing constraints on their activities. Christian groups said they continued to be unable to acquire burial plots and there was no clear governmental process to do so. Some groups instead buried their dead in undeveloped areas away from settlements. One group said there was no official directive requiring cremation of the dead, but that government contacts informally urged cremation. The group said cremation remained the clear national preference, given the broad influence of Buddhist practice and tradition, and that as a minority religious group, Christians had little influence on this issue. Some Christian groups said that Christians had fewer officially endorsed public celebrations than the Hindu community.
- **Non-Buddhists:** non-Buddhist citizens experience pressure to participate in Buddhist ceremonies and practices; local authorities are known to harass non-Buddhists.

Overview

- Vajrayana Buddhism is the state denomination.
- Recognition and registration are amalgamated in Bhutan for all non-Vajrayana Buddhist groups; this means that no belief system other than Vajrayana Buddhism is able to achieve existential recognition as only legal registration is available for non-Vajrayana organisations.
- Excessive requirements for applicants.
- The broad bylaws allow the government significant scope to apply them unfairly to groups whose beliefs and practices it may not agree with or find to be in harmony with “the spiritual heritage” of the country. The creation of ambitious bylaws in this way most often leads either to their widespread misuse or their misuse in isolated incidents in targeting certain groups.
- The rule of mandatory registration contravenes the Bielefeldt provision.

- Intrusive informational requirements demonstrate further divergence from acceptable approaches to religious activity.
- Partial recognition is applied, meaning that only a degree or inferior form of recognition is bestowed to belief systems and their derivatives other than Vajrayana Buddhism.

Positive elements

- Nil.

Recommendations

- Abolish the policy of confinement, government preapproval, excessive qualifications and the rules around unregistration.
- Dissolve aspects of the recognition system that have been established to restrict registration.
- Establish a more receptive approach towards non-Buddhist denominations.

Restriction tools implemented

- Confinement restriction tool.
- Eventing is restricted.
- Intrusive informational requirements.
- Mandatory registration.
- Partial recognition is applied.
- Retributions such as fines and imprisonments do exist although their dormancy is debatable.
- Religious leaders involved in the process of religious recognition is a violation of the principles of religious equality; whether a group's beliefs and practices correspond to another belief system or not should not be contingent on its recognition and registration.
- The broad subjectivity in the legislation translates to scope for the government to enforce unjust procedures and decisions over groups, such as baseless claims of breaking already highly subjective regulations.
- The provision of “standards” on architectural design is restrictive.

- The reason why Bhutan is close to but does not correspond to censoriality is that there have not been reports of violent repression.

History of RoRB classification

- Bhutan was originally classified Restrictive in the SRR in the first iteration of the RoRB Index in 2021.
- However, the 2022 iteration of the RoRB Index has reclassified Bhutan as Censorious.

Bolivia, Plurinational State of — Restrictive

RoRB and national identity

- The Constitution of Bolivia makes an explicit claim to freedom of religion or belief, a claim the government sometimes infracts upon in practice.
- The Plurinational State of Bolivia is a secular state.
- The Catholic Church was the state religion until 2009 yet still receives state privilege from the Bolivian government. It remains unclear what kinds of benefits state privilege in Bolivia grants the Catholic Church.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Bolivia.
- Evaluations
 - The lack of existential recognition in Bolivia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** groups must register with the Office of Religion and Nongovernmental Organisations within the Ministry of Foreign Affairs (MFA) under the category of NGO. A group that operates without registering is conducting an illegal offence which makes registration in Bolivia mandatory requirement and is therefore key to why Bolivia has been categorised Restrictive when applied to the standards of the SRR.

- **Stringent informational requirements:** to compound the mandatory nature of registration in Bolivia, the law demands that groups fulfil 14 requirements that stretch far beyond what RoRB standards set out in the RFSRB as acceptable:
 - Organisations must submit their notarised legal documents, including statutes, internal regulations, and procedures; rental agreement documents, utility invoices for the place(s) of worship, and a site map; detailed information on board members and legal representatives, including criminal background checks; an INTERPOL certificate for foreigners; and proof of fiscal solvency. They must also provide the organisation chart, with names, addresses, identification card numbers, and photographs; a full list of members and identifying information; details on activities and services provided by the organisation, including the location of the services; and information on their financing source(s), domestic and/or foreign.
 - Crucial in examination of informational requirements and whether they comply with RoRB standards is determining “nefarious intent” — this refers to the task of determining whether the government holds the intent to misuse the information it is asking for as part of registration procedures. This task can be a difficult one because it can be difficult to understand sometimes why a government wants the information it is requested and nefarious intent is sometimes only identifiable retrospectively or in hindsight after religious freedom violations have taken place which does place the onus on RoRB standards and a proposed recognition agency to ensure as much as possible the prevention of such violations from taking place. Part of determining nefarious intent means looking at the broader religious freedom situation in a country. In the case of Bolivia, few to no major reports of FoRB violations have taken place in recent years which does suggest that the government holds “reasonable intent” although some groups have refused to register on the basis of maintaining their privacy. Although the Bolivian government may have reasonable intent, this does not negate the fact that the information requested from the government violates standards of RoRB.

- **Registration categories:** there are two types of organisations: spiritual and religious. Distinctions between the two are based primarily on their origins rather than on any legal basis. As such, spiritual organisations are mainly indigenous groups while religious organisations represent belief systems not indigenous to Bolivia (whether lead by citizens or foreigners) and this would include Catholic groups. A religious organisation is stipulated to hold the purpose of carrying out worship practices and should adhere to theism — it is unclear on the stringency of these theological requirements. A religious organisation should also not pursue profit.
- **Revocations/deregistration:** revoking registration will be conducted by the government if the group — whether deemed spiritual or religious — does not produce an annual report of its activities for more than two consecutive years. Broader stipulations over revocation include not complying with the group’s state objectives during its registration, carrying out different activities from those it stated during its registration, and as an even broader stipulation, carrying out activities contrary to the country’s constitution, laws, morality or “good customs.” It remains unclear whether deregistration means that the group cannot reapply for registration in some years in the future or whether the group is deregistered permanently.
- **Reregistration:** A 2017 regulation requires groups to reregister to ensure all documents list the official name of the country as “Estado Plurinacional.” Reregistration also entails groups amending their bylaws and documentation to conform to all new national laws. The previous round of reregistration had to be completed by 2019. It remains unclear on what basis of regularity these reregistration requirements are mandated and when the next round of reregistration requests will be mandated.
 - Failure to sufficiently reregister is also used as a basis for deregistration; again, it is unclear whether one account of deregistration means that a group cannot then reregister again or whether they have to wait for a certain period before they apply for registration once again.

- **Registration fees:** registration fees are imposed and they differ significantly between the outlined “Religious Organisations” and “Spiritual Organisations” categories. For organisations categorised “Religious”, the fee amounts to 6,780 bolivianos (\$990) and for organisations categorised “Spiritual”, the fee amounts to 4,068 bolivianos (\$600); although the government had not increased the fees, when transferred into US dollars, the fees had increased from \$900 and \$590 respectively from the previous year which demonstrates how fluctuations in the exchange rate can have an effect on registration fee compliance to RoRB standards.
- **Registration benefits:** registered groups receive tax relief, customs relief, and other legal benefits – information about the full range of benefits is not readily accessible.
- **Broad reservations:** the government states that it reserves the right to revoke registration based on the organisation’s noncompliance with the registration requirements and procedures. This stipulation is so broad that it is vulnerable to repeated misuse — as the government’s misuse of this reservation is not yet widely reported, it cannot be classified as holding “nefarious intent” but certainly it possesses vulnerability to being misused.
- **Regulation of government:** there is a ruling that the government cannot deny legal registration to a spiritual or religious organisation based on its articles of faith (belief protection principle). Although this kind of protection is welcomed, the reality of its application is called into question when we consider that worship and theism are integral parts of the criteria for a religious organisation’s successful registration.
- **Registration rate:** *according to the MFA’s Office of Religion and Nongovernmental Organizations, there were approximately 648 registered groups listed under the requirements of the religious freedom law, compared with 440 groups in 2020, and an additional 75 groups with a registration request in process with the MFA. According to religious leaders, nearly all known religious or spiritual organizations that wished to register with the government had complied with the requirements. Religious groups said the registration process generally took four to six months to complete. In November, MFA officials stated they were*

working on a system to digitise the registration process to reduce the timeline to one to two months and planned to have the new digital system complete by 2022.

- Evaluations
 - The imposition of a mandatory registration order onto registrant religious groups is impermissible to RoRB standards.
 - The registration fee the Bolivian government imposes violates the \$100 threshold set down by RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Bolivia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Bolivia is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present incarnation of Bolivia's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Bolivia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Protestants:** *members of the evangelical Protestant community continued to say several smaller religious communities formed congregations that held services at unofficial worship locations and conducted other activities without registering. These smaller communities continued to refuse to register their organizations because, according to sources, they preferred not to provide the government with access to internal information. Sources stated these unregistered groups still could neither own property nor hold bank accounts in their organisation's name; instead, money for a group was generally held in a bank account controlled by the leader's family.*

Overview

- Recognition and registration are amalgamated; focus is placed on legal registration of organisations rather than existential recognition (although the term recognition remains in use).
- Excessive requirements for registration demonstrate why the government has been classified restrictive; the informational requirements are a means of control and surveillance of religious activity.
- Legislative subjectivity allows for a broad scope for the government to deregister or disrecognise baselessly.
- Government involvement in or monitoring of the internal affairs of religious organisations is a violation of the Durham principles.
- The rule of mandatory registration contravenes the Bielefeldt provision.

Positive elements

- Differentiation is made between religious and spiritual entities, but further differentiation is needed for those groups which identify with broader philosophical beliefs (e.g. humanists).

Recommendations

- Dissolve excessive requirements for registration and subjective legislation that could be used for purposes of restriction.

- Lower fees for registration; Bolivia's fees are significantly higher than the majority of other country's registration fees for the same process.
- Dismantle restrictive policies and procedures in order to become more receptive.
- Develop procedures for existential recognition and abolish the practice of state definition of religion.

Restriction tools implemented

- Belief stipulations are made by the government.
- Excessive requirements for registration exist.
- Government intrusion into the internal affairs of organisations.
- Mandatory registration.
- Relatively high fees for registration.
- Reregistration procedures are in effect since 2017; the degree of restrictivity caused by these procedures varies.
- State privilege for the Catholic Church.
- Subjectivity in the legislation.
- The provision that “the government may not deny legal recognition to any organisation based on its articles of faith” contradicts the subjectivity of the legislation; the degree to which the government holds to this provision should be monitored.
- Vertical recognition is applied via segmentation.

History of RoRB classification

- Bolivia has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Bosnia and Herzegovina — Restrictive

RoRB and national identity

- The Constitution of Bosnia and Herzegovina makes an explicit claim to freedom of religion or belief, a claim the government sometimes infracts upon in practice.
- Bosnia and Herzegovina is a secular state.
- However, state privilege is extended to the Serbian Orthodox Church in the Republika Srpska.

Recognition law

- Structures and procedures for existential recognition
 - The law recognises the legal status of four “traditional” religious communities: the IC, SOC, Catholic Church, and Jewish community.
- Evaluations
 - Existential recognition is not readily available to non-traditional or alternative belief systems and communities and there does not seem to be an established procedure for attaining existential recognition in the country.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not explicitly mandate that religious groups register with, listing the basic religious activities of “charity work” and the occupation of religious buildings and places of worship as benefits of registration in effect makes registration mandatory.
 - **Procedure:** a written application has to be submitted to the Ministry of Justice (MOJ) and the MOJ maintains a list of all registered communities and churches.

- **Legal designations:** previously unregistered religious groups are given the designation new religious community while branches of more established religions (e.g. Christianity) are legally designated church⁶ in turn creating a vertical system.
- **Qualifications:** the law states no new church or religious community may be founded bearing the same or similar name as an existing church or religious community (nominal restriction). The law also states no one may use the symbols, insignia, or attributes of a church or a religious community without its consent.
- **Informational requirements:** statutes that define the method of religious practice and a petition for establishment.
- **Signature quota:** the petition for establishment must possess signatures from at least 30 different group founders.
- **Membership quota:** at least 300 adult citizens.
- **Regulatory interval:** the MOJ is obligated to issue a decision within 30 days of receipt of the application.
- **Registration benefits:** registered religious communities may establish their own sub-organisations that may operate without restriction; the right to conduct collaborative actions such as do charity work, raise funds, and construct and occupy places of worship.
- **Denial of registration:** *the law stipulates the ministry may deny the application for registration if it concludes the content and manner of worship may be “contrary to legal order, public morale, or is damaging to the life and health or other rights and freedoms of believers and citizens.” A group may appeal a negative decision to the BiH Council of Ministers.* The grounds for denial of registration outlined here are too ambiguous and vulnerable to misuse by the state against groups that it does not favour. Continued monitoring of the use of these grounds for registration denial should take place in order to determine compliance to RoRB standards.

⁶ *the law states churches and religious communities serve as representative institutions and organisations of believers, founded in accordance with their own regulations, teachings, beliefs, traditions, and practices.*

- **Registry duration:** The MOJ said it generally processed registration applications by religious groups within a week, and no religious group reported delays in registration.
- **Unregistration:** unregistered religious groups may assemble to practice their religion, but they have no legal status and may not represent themselves as a religious community.
- **Registration rate:** no groups registered during the year, and there were no reports the ministry denied any registration applications by religious communities. In addition to registered churches and religious communities, there are educational, charitable, and other institutions, known as “legal subjects,” that belong to these communities but are registered as separate legal entities in the MOJ registry. The Islamic Community has 121 legal subjects, the Catholic Church 400, the Orthodox Church 538, Jewish Community eight, and other churches and religious communities and alliances (primarily of Protestant groups) have 50.
- **Taxation of religious groups:** *the law on religion states that churches and religious communities must pay taxes and contributions on earnings of their employees (pension, health, and disability insurance). In the Federation, two of the 10 cantons – Western Herzegovina Canton and Herzegovina-Neretva Canton – include religious officials in their health insurance system. Sarajevo Canton does not include religious workers in its health insurance system but offers such insurance to religious officials under more favorable provisions than those available to other citizens. The RS provides pension benefits and disability insurance to religious workers while they have residence there.*

- Evaluations

- Stipulatory registration policy is permissible to RoRB standards.
- However, imposing signatures quotas and membership quotas is not.
- Regulatory intervals as the state’s way of applying self-regulation is welcomed.

Law and policy on religion and belief

- Self-identification
 - **Labour laws:** *pursuant to a 2015 decision of the High Judicial and Prosecutorial Council, employees of judicial institutions are prohibited from wearing any form of “religious insignia,” including headscarves, or practicing religion, such as by praying or proselytising, at work.*
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Bosnia and Herzegovina is permitted without restriction, both for personal and propagational use.
 - **Religious education:** *the laws of the Federation, each of the 10 Federation cantons, and the RS affirm the right of every citizen to religious education. The laws allow a representative of each of the officially registered religious communities to assume responsibility for teaching religious studies in public and private preschools, primary and secondary schools, and universities if there is sufficient demand. Religious communities select and train their respective religious education teachers, who are employees of the schools where they teach, although they receive accreditation from their respective religious institutions.*
 - **Restitution:** the country has no law on restitution that would allow for the return of, or compensation for, property, including property owned by religious groups, nationalised or expropriated under communist rule.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present incarnation of Bosnia and Herzegovina’s penal code.
- Facilitation of religion or belief

- **Ombudsmanship:** the Ministry of Human Rights and Refugees (MHRR) is responsible for documenting violations of religious freedom, specifically the Institution of Human Rights Ombudsman which was established in law in 2004.

Social dimensions of RoRB

- **Muslims:** *the state recognizes the Islamic Community as the sole supreme institutional religious authority for all Muslims in the country, including immigrants and refugees, as well as for Bosniaks and other Muslim nationals living outside the country who accept the Islamic Community's authority. According to the law, no Islamic group may register with the MOJ or open a mosque without the permission of the Islamic Community.*

Overview

- Existential recognition is granted to four denominations stylised as “traditional religious communities” namely Catholicism, Islam, the Serbian Orthodox Church and Jewish community; the process for registration does not seem to correlate with this form of recognition, hence there exists vertical recognition rather than the ideal horizontal form.
- Bielefeldt recommends against the imposition of membership quotas.
- Intrusive requirements for registration exist but these are not excessive.
- The acts of vandalism against religious sites need to be combatted with more education and awareness of diversity of religion or belief, part of the achievement of which is the establishment of more receptive and dynamic procedures for recognition.

Positive elements

- There are provisions put in place to protect groups from imitation or misuse of their symbols and attributes; however, these provisions should be monitored for their potential misuse.

- The MHRR is responsible for maintaining religious freedom conditions although its independence from government and its focus on recognition would be preferable.

Recommendations

- Dissolve intrusive registration requirements to reach receptivity.
- Remove vertical recognition; establish an equitable recognition system.
- Abolish the imposition of a membership quota, nominal restriction, signature and the policy of non-recognition for untraditional religious groups.

Restriction tools implemented

- Ambiguity exists as to how existential recognition as a “traditional religious community” is achieved.
- Membership quotas for registration eligibility.
- Restrictions on proselytism remain vague.
- Stipulatory registration.
- Subjectivity in the legislation lends scope for the government to unjustly deregister, disrecognise or refuse registration or recognition.
- There exists differentiation between recognition and registration although the former is not equitably available.
- Vertical recognition is in effect.

History of RoRB classification

- Bosnia and Herzegovina has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Botswana, Republic of — Restrictive

RoRB and national identity

- The Constitution of Botswana makes an explicit claim to freedom of religion or belief, a claim the government sometimes infracts upon in practice.
- The Republic of Botswana is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Botswana.
- Evaluations
 - The lack of existential recognition in Botswana demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all organisations, including religious groups, must register with it in order to conduct basic religious activities.
 - **Procedure:** a submission should be sent to the Registrar of Societies section of the Ministry of Nationality, Immigration, and Gender Affairs.
 - **Informational requirements:** the group's constitution (it is not clear what type of information is required by the government to be included in an applicant group's constitution).
 - **Registration benefits:** to conduct business, sign contracts, and open an account at a local bank.

- **Membership quota:** (for new religious groups) at least 150 members, (for previously registered religious groups) at least 10 members. It is presumed that the latter category is referring to groups that belong to religions that are already recognised in the country as other groups belonging to the same religion have previously registered with the government.
 - **Unregistration:** managing, being a member of or otherwise affiliating with an unregistered religious group will result in fines and imprisonment.
 - *The government continued to pursue court cases involving unregistered churches (sometimes called “fire churches”) coming into the country to “take advantage of” local citizens by demanding tithes and donations for routine services or special prayers. The government required pastors of some of those churches to apply for visas – even those from countries whose nationals were normally allowed visa-free entry. The government said in June 2019 that it was reviewing the visa policy for these foreign pastors, but by year’s end had not released the results of this review or announced any changes. Former members of one of the most prominent unregistered churches forced to close in 2019, the Enlightened Christian Gathering, subsequently formed their own smaller, independent churches with local leadership that was ultimately registered by the government.*
 - **Registration rate:** according to 2019 data from the Registrar of Societies, there are 2,318 registered religious organisations which constitutes a high registration rate but this could also be due to the stringent laws around unregistration.
- Evaluations
 - The government of Botswana’s implementation of mandatory registration is impermissible to RoRB standards.
 - There is a high registration rate which signals that the procedures for registration must not be onerous.

- However, the imposition of fines or imprisonment for managing or otherwise affiliating with an unregistered religious group is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Oath-taking:** *the constitution also prohibits compelling an individual to take an oath contrary to that individual's religious beliefs.*
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Botswana is permitted without restriction, both for personal and propagational use.
 - **Religious instruction and religious education:** *the constitution permits religious groups to establish places for religious instruction at their expense. The constitution prohibits requiring religious instruction or participation in religious ceremonies in a religion other than one's own.*
- Penal code
 - **Hate speech:** *the penal code criminalises "hate speech" towards any person or group based on "race, tribe, place of origin, colour or creed" and imposes a maximum fine of 500 pula (\$46) per violation.*
 - **Managing an unregistered group:** *any person who manages, assists in the management of, or holds an official position in an unregistered group is subject to a fine of up to 1,000 pula (\$85) and up to seven years in prison. Any member of an unregistered group is subject to penalties, including fines up to 500 pula (\$43) and up to three years in prison.*
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Botswana to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Botswana for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated; legal registration is focused on rather than existential recognition.
- Although the stipulation of 150 membership quota is low, the fact of the stipulation's exist violates the Durham principles, particularly inequitable is the previous stipulation of just 10 members.
- The rule of mandatory registration violates the Bielefeldt provision.

Positive elements

- There are genuine provisions for retribution against hate speech.
- Horizontal recognition exists.

Recommendations

- Dissolve the retribution of fines and imprisonments for unregistration in order to move towards greater receptivity.
- Provide more sophisticated procedures for registration and recognition in differentiated capacities.
- Provide greater support to encourage religious and belief-based organisations and communities to establish in order to move to the classification of dynamism.
- Abolish the imposition of a membership quota.

Restriction tools implemented

- Fines and imprisonments are imposed on both leaders and members of unregistered groups.
- Mandatory registration.
- Membership quotas are in effect.
- Unstructure exists.

History of RoRB classification

- Botswana has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Brazil, Federative Republic of — Restrictive

RoRB and national identity

- The Constitution of Brazil makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice.
- The Federative Republic of Brazil is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Brazil.
- Evaluations
 - The lack of existential recognition in Brazil demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government states that religious groups need only register with it for the purpose of receiving tax-exempt status. Religious groups can establish places of worship, train clergy, proselytise and other basic religious activities without needing to register.
 - **Procedure:** tax-exempt status is to be sought through the Department of Federal Revenue and its local municipal branches as each state and municipality has different requirements for obtaining tax-exempt status.
 - **Informational requirements and qualifications:** most jurisdictions require groups to document the purpose of their congregation, provide an account of finances, and have a fire inspection of any house of worship.

- *In January 2021, the federal government created the National Registry of Religious Organizations, a voluntary database of religious leaders and entities eligible to receive federal funds and to carry out actions in partnership with the Ministry of Women, Family, and Human Rights. Social science professor and leader of the Protestantism and Pentecostalism Study Group at the Pontifical Catholic University, Edin Sued Abumanssur, said the program duplicated preexisting databases of religious organizations, and he suggested creation of the new database was an attempt to garner the support of churches in the lead-up to the 2022 presidential election.*

- Evaluations

- The policy of stipulatory registration is permissible to RoRB standards as long as its stipulations do not interfere with “basic religious activities”.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Brazil as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity

- **Hieronymy:** the importation of religious materials or devotional items into Brazil is permitted without restriction, both for personal and propagational use. However, on the FedEx Cross Border global lists, “books: hardback/paperback non-comm” are listed as a prohibited item. More clarity is required as to whether this prohibited item effects publication of a religious, spiritual or philosophical nature.
- **Zoning laws:** local zoning laws and noise ordinances may limit where a religious group may build houses of worship or hold ceremonies.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Brazil's penal code.
- Facilitation of religion or belief
 - **Investigative commission:** the Commission to Combat Religious Intolerance is composed of judges and public prosecutors.
 - **Ombudsmanship:** the *Ministério Público* (Public Ministry) plays the role of the ombudsman in Brazil.

Social dimensions of RoRB

- **Minorities:** violence against Afro-Brazilian religious groups is frequent, especially in Rio de Janeiro's favelas. The Commission to Combat Religious Intolerance found that over 200 Afro-Brazilian temples (called terreiros) closed in 2019 after assaults or threats from "evangelical drug dealers". These groups operate and claim territory like other Brazilian drug-trafficking operations, but also seek to repress faiths that do not align with their own.

Overview

- Recognition and registration are amalgamated; there exists a distinct lack of existential recognition in the country, partly also as a result of the structure of the country's registration procedures.
- Although the Brazilian government provides for freedom of religion or belief in practice, it is classified as restrictive due to the segmentation of registration into the different states and municipalities; although this structure may have been established for practical rather than for restrictive purposes
- Zoning laws should be monitored for misuse.

Positive elements

- The government genuinely practices freedom of religion or belief, including allowing for proselytism, the training of clergy and establishing places of worship.

Recommendations

- Differentiation needs to be made between existential recognition and legal registration and there needs to be procedures set in place to ensure sufficient bestowal of these two separate forms of recognition.
- Establish an independent recognition agency to handle dynamically the vast diversity of beliefs and practices found in the country so that sufficient degrees of existential recognition and legal registration are bestowed.
- Rearrange segmented structure for registration.

Restriction tools implemented

- Ongoing violence and harassment of minorities in the society may be caused by a lack of recognition for certain belief systems and their practitioners; firmer and clearer forms of state recognition will help to resolve these social issues.
- Segmented structure for legal registration severely restricts the capacity for religious organisations to gain genuine nationwide recognition and registration; dismantling this segmented structure would secure Brazil as receptive in the Spectrum of Religious Recognition although even further improvements would need to be made before it could achieve dynamic status.
- Stipulatory registration.
- Unstructure exists.

History of RoRB classification

- In the first iteration of the RoRB Index in 2021, Brazil was classified as Restrictive and it continues to be so classified.
- Brazil is close to being moved upwards to Apathetic classification.

British Virgin Islands — Apathetic

RoRB and national identity

- UK law on religious recognition is not applied in the British Virgin Islands, officially the Virgin Islands.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in British Virgin Islands.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in the British Virgin Islands demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information about procedures for the legal registration of religious groups in the British Virgin Islands as of the First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in the British Virgin Islands as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity

- **Hieronymy:** the importation of religious materials or devotional items into the British Virgin Islands is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of the British Virgin Islands' penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in the British Virgin Islands to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in the British Virgin Islands for this First Edition of *Recognition of Religion or Belief*.

Overview

- Unsure of the existence of a recognition system – perhaps connected to the United Kingdom as a British Overseas Territory.

Restriction tools implemented

- Non-percolative recognition.

History of RoRB classification

- British Virgin Islands has been classified Apathetic according to the SRR since the first iteration of the RoRB Index in 2021.

Brunei Darussalam — Terminal

RoRB and national identity

- The Constitution of Brunei makes a partial claim to freedom of religion or belief, a right the government systematically infracts upon in practice.
- The Constitution of Brunei establishes the state denomination as Sunni Islam.
- The official national philosophy of the state is Melayu Islam Beraja (MIB), or Malay Islamic Monarchy; the government has said this system is essential to the country's way of life and is its main defense against "extremism." The MIB Supreme Council seeks to spread and strengthen the MIB philosophy and ensure MIB is enshrined in the nation's laws and policies. MIB is a compulsory subject for students in both public and private schools, including at the university level.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Sunni Islam in Brunei.
- Evaluations
 - The lack of existential recognition in Brunei for any denomination other than Sunni Islam is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that religious groups register with it in order to conduct any

activities, encompassing activities those considered “basic” and “registrable” by RoRB standards.

- **Procedure:** the applicant group must submit an application to the registrar of societies who then oversees the application process and reviews the application documentation. *The Registrar of Societies, under MOHA, oversees the application process, exercises discretion over applications, and is authorized to refuse approval for any reason.*
- **Qualifications:** applicants are subject to background checks for leaders and board members, and proposed organisations are subject to naming requirements.
- **Informational requirements:** the names of members of religious groups, documentation explaining the leadership structure of the group, how officers are elected, members, assets, activities, and any other information that may be arbitrarily requested by the registrar.
- **Registration benefits:** ability to operate legally, reserve space in public buildings, and apply for permission to raise funds.
- **Preapproval:** *organisations are prohibited from affiliation with any organisation outside the country without written approval by the registrar. The law states that any public assembly of five or more persons requires official approval in advance. Under long-standing emergency powers, this applies to all forms of public assembly, including religious assembly. In practice, however, places of worship are viewed as private.*
- **Denial of registration:** any rationale may be given by the registrar of societies for applications that are denied.

- Evaluations

- The imposition of a preapproval policy is impermissible to RoRB standards and is the imposition of a mandatory registration order against religious groups.
- The informational requirements requested as part of registration procedures are impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Criticism of Islam:** the Sharia Penal Code (SPC) includes a provision that makes it illegal to criticise Islam, including the SPC itself. It is an offence to criticise Islam, and for any person to consume food, drink or tobacco in public during the fasting hours of the holy month of Ramadan.
 - **Religious conversion:** *under the SPC, Muslims are not permitted to renounce or change their religion. Non-Muslims must be at least 14 years and seven months old to convert or renounce their religion. If either parent converts to Islam, their children younger than 14 years and seven months automatically become Muslim.*
- Communal activity
 - **Censorship of Islam:** MORA continued to provide all mosques with approved sermons for Friday services. The government required that registered imams deliver the sermons and forbade deviance from the approved text.
 - **Hieronymy:** the importation of non-Islamic religious materials or devotional items into Brunei for personal use is restricted, likely requiring preapproval from the Ministry of Religious Affairs. However, the importation of non-Islamic religious materials or devotional items for propagational use is prohibited as proselytism is illegal.
 - The law states it is an offence for a person to import any publication deemed objectionable, which is defined in part as describing, depicting, or expressing matters of race or religion in a manner likely to cause “feelings of enmity, hatred, ill will, or hostility between different racial or religious groups.”
 - **Propagation, dissemination and proselytism:** the law forbids the teaching or promotion of any religion other than Islam to Muslims or to persons of no faith.

- **Religious literature:** the law bans distributing materials relating to religions other than Islam to Muslims or persons of no faith.
- **Religious prohibitions:** *the government bans religious groups it considers “deviant,” including the Ahmadiyya Muslim Community, al-Arqam, Abdul Razak Mohammad, alMa’uanah, Saihoni Tasipan, Tariqat Mufarridiyyah, Silat Lintau, Qadiyaniah, the Baha’i Faith, and Jehovah’s Witnesses. The list is based on fatwas proclaimed by the state mufti or the Islamic Religious Council – a government body and the sultan’s highest authority on matters on Islam – and is available on MORA’s website. The SPC also bans most non-Sunni forms of Islam and any practice or display of “black magic.” The SPC includes a list of words and expressions, including the word “Allah,” reserved for use by only Muslims or in relation to Islam. MORA officials state that the use of certain words such as “Allah” by non-Muslims does not constitute an SPC offence when used in a nonreligious context or social activity.*
- Penal code
 - **Propagation, dissemination and proselytism:** the penalty for propagating religions other than Islam is up to five years in prison, a fine of up to 20,000 BND (\$14,700), or both.
 - **Unregistration:** *finest based on charges of unlawful assembly. Individuals that participate in or influence others to join unregistered religious groups may be fined, arrested and imprisoned. The penalty for violating laws on the registration and activity of organisations is a fine of up to 10,000 Brunei dollars (BND) (\$7,400), imprisonment for up to three years, or both.*
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Brunei to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians:** *social media users criticized MORA's December 22 instructions requiring shops to remove Christmas images and products one month after many stores had already started Christmas promotions. California-based Coffee Bean and Tea Leaf was among establishments the MORA official visited, prompting some social media users to call for greater religious tolerance. Although December 25 remained an official holiday on which government offices closed, including MORA, according to the social media accounts MORA officials stated the enforcement measures were needed to "control the act of celebrating Christmas excessively and openly, which could damage the faith of the Muslim community." The government allowed Christmas decorations in private residences.*

Overview

- Sunni Islam, specifically the Shafi'i school, is the state denomination.
- Existential recognition is conferred only to Sunni Islam; procedures for legal registration do not equate to state recognition hence a partial system of recognition exists in which all other forms of religion or belief are provided only legal registration.
- There exists a multi-level system of legal registration; registration does not grant permission for a group to conduct all its activities; each of its activities must still be accepted by state officials before being conducted.
- Laws on religious gathering look to heavily restrict both public and private religious life.
- The rule of mandatory registration violates the Bielefeldt provision and various other laws violate many of the Durham principles.
- Brunei is not party to the International Covenant on Civil and Political Rights which is a further demonstration to its aversion to basic human rights.

Positive elements

- Nil.

Recommendations

- Abolish the mandatory registration law and arbitrary requirements for registered status.
- Dismantlement of the current abusive recognition system.
- Dissolve excessive informational requirements, nominal restrictions, non-recognition of all non-Sunni groups, state preapproval of activities and the criminalisation of unregistration.

Restriction tools implemented

- Censorship of religion and belief is widespread, including severe restrictions on the importation and distribution of religious literature.
- Criminalisation of criticism of Islam.
- Excessive informational requirements, including names of group members, are unjustly used for surveillance, to track and harass group members.
- Mandatory registration for religious groups to exist.
- Normativism in effect.
- Proselytism of a belief system other than Islam is illegal and punishable with fines and imprisonment.
- Refusal of registration for any reasons.
- Restriction of both public and private religious activity.
- Retributions for unregistration range from substantial fines to imprisonments.
- State religion.
- Use of violence to achieve the goals of the abusive system and to perpetuate the system's activities.
- Vertical recognition is applied.
- Widespread subjectivity exists in the legislation which gives the government scope for unjust restriction of religious activity.

History of RoRB classification

- Brunei has been classified Terminal according to the SRR since the first iteration of the RoRB Index in 2021.

Bulgaria, Republic of — Restrictive

RoRB and national identity

- The Bulgarian Constitution makes an explicit claim to freedom of religion or belief, a right the government generally upholds but with some infractions in practice.
- The Republic of Bulgaria is a secular state.
- However, the Bulgarian Constitution extends state privilege to the Bulgarian Orthodox Church (BOC) while recognition is granted to Eastern Orthodox Christianity as a whole in the Constitution.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than the BOC in Bulgaria.
- Evaluations
 - The lack of existential recognition in Bulgaria for any denomination other than the BOC is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** in its policy, the government seems to encourage national religious groups to register although policy is in part stipulatory. For example, local branches of registered groups do not need to register but it is implied that the headquarters or national branch of the group is mandated to register. As selling religious merchandise is classified as a basic religious activity, registration in Bulgaria is regarded as pseudo-mandatory.

- **Procedure:** receiving national legal registration for a religious group is contingent on that group applying to the Sofia City Court.
- **Informational requirements:** *the group's name and official address; a description of the group's religious beliefs and service practices, organisational structure and bodies, management procedures, bodies, and mandates; a list of official representatives and the processes for their election; procedures for convening meetings and making decisions; and information on finances and property and processes for termination and liquidation of a group.*
- **Registration rate:** there are 180 registered religious groups in addition to the BOC.
- **Notification:** local branches are mandated to notify local authorities of the central registration of the group of which they are part.
- **Registration benefits:** *registered groups have the right to perform religious services; own assets such as houses of worship and cemeteries; provide medical, social, and educational services; receive property tax exemptions; and participate in commercial ventures. The law requires the government to provide funding for all registered religious groups, although there is no legal requirement on how to allocate the funds among the groups.*
- **Unregistration:** unregistered religious groups may engage in religious practice, but they lack privileges granted to registered groups, such as access to government funding and the right to own property, establish financial accounts in their names, operate schools and hospitals, receive property tax exemptions, and sell religious merchandise.
- *In April, Sofia Municipality revoked its ordinance restricting the activity of unregistered religious groups, complying with a 2020 decision of the Sofia Administrative Court. In May, the Supreme Administrative Court reversed a 2020 decision of the Shumen Administrative Court and determined that a Shumen Municipality ordinance restricting door-to-door proselytising did not violate the country's constitution and laws, but it stated the provisions prohibiting religious activities by "non-traditional religious groups" (i.e., groups other than the BOC) inside cultural institutes, schools, and establishments for*

youth and children were illegal, since they discriminated against those religious groups. Jehovah's Witnesses said the decision limited their right to express their beliefs and put followers at risk of being subjected to discrimination and aggression. On November 2, a five-member panel of the Supreme Administrative Court refused to review an appeal by Jehovah's Witnesses of the court's April ruling, stating the group had missed the appeal deadline.

- **Monitorial requirements:** *registered religious groups must maintain a registry of all their clergy and employees, provide the Directorate for Religious Affairs with access to the registry, and issue a certificate to each clerical member, who must carry it as proof of representing the group. Foreign members of registered religious groups may obtain long-term residency permits, but for the foreign member to be allowed to conduct religious services during his or her stay, the group must send advance notice to the Directorate for Religious Affairs.*

- Evaluations

- The imposition of pseudo-mandatory registration onto religious groups is impermissible.
- Establishing the right to own property as a registration benefit is impermissible to RoRB standards.
- The informational requirements requested as part of the registration procedures is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- **Religious attire:** covering your face with garments (such as a burka or similar head covering) in public places, including governmental buildings, streets, parks, gardens, restaurants, shops and on public transport is illegal in Bulgaria. There is a fine for covering your face in public places.

- Communal activity

- **Hieronymy:** the importation of religious materials or devotional items into Bulgaria is permitted without restriction, both for personal and propagational use.
- **Proselytism:** *the law does not restrict proselytising by registered or unregistered groups. Dozens of municipalities, including the regional cities of Kyustendil, Pleven, Shumen, and Sliven, have ordinances prohibiting door-to-door proselytising and the distribution of religious literature without a permit. The ordinance in Kyustendil remains in effect despite a 2018 Supreme Administrative Court ruling that it was unconstitutional.*
- **Restitution:** *the Office of the Grand Mufti said it was continuing to search for ways to litigate its recognition as the successor to all pre-1949 Muslim religious communities for the purpose of reclaiming approximately 30 properties, including eight mosques, two schools, two baths, and a cemetery seized by the former communist government. Pending a decision on who was the rightful successor to the Muslim religious communities, some courts continued to suspend action on all restitution claims by the Office of the Grand Mufti. In May, the Targovishte District Court ruled against the Office of the Grand Mufti's claim regarding a former mosque and Muslim school in Popovo, stating the office was not the proven successor. In October, the Varna Appellate Court confirmed the lower court's decision. In October, the Tutrakan Regional Court ruled against the Office of the Grand Mufti's claim to a former Muslim school converted to a secular school during communism, refusing to recognize the office as the proven successor.*
- **Religious literature:** the law allows registered groups to publish, import, and distribute religious media; it does not address the rights of unregistered groups with regard to such media.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Bulgaria's penal code.

- Facilitation of religion or belief
 - **Dedicated office:** the Directorate for Religious Affairs under the Council of Ministers provides expert opinions.
 - **Ombudsmanship:** the Ombudsman of the Republic of Bulgaria was established by law in 1998 but the first Ombudsman was only elected in 2005. Since 2019, the office has been by Diana Kovacheva. *The law establishes an independent ombudsman to serve as an advocate for citizens who believe public or municipal administrations or public service providers have violated their rights and freedoms, including those pertaining to religion, through their actions or inaction. The ombudsman may request information from authorities, act as an intermediary in resolving disputes, make proposals for terminating existing practices, refer information to the prosecution service, and request that the Constitutional Court abolish legal provisions as unconstitutional.*

Social dimensions of RoRB

- **Religious minorities:** *members of minority faiths in what is a mostly Orthodox Christian country have reported instances of harassment and discrimination, and some local authorities have prohibited proselytising and other religious activities by such groups.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; there is a degree of partial recognition in that even groups which achieve legal registration do not receive the same level of recognition that the BOC possesses.
- Some of the informational requirements are appropriate for legal registration yet these still need to be monitored for misuse; other requirements, particularly those which intrude into the internal affairs of the organisation are intrusive and do not correspond to the standards set forth in the Durham principles.
Expertise provided by The Directorate of Religious Affairs needs

to be monitored independently in order to ensure that misuse does not root.

- Reports of discrimination and harassment of minorities and the local banning of some forms of proselytism should be resolved through a greater focus on recognition as a tool to educate and spread awareness of the importance of religious diversity; this pertains to why existential recognition is just as crucial if not more so for the society itself than legal registration.

Positive elements

- Provisions are put in place for the state to provide support for registered groups which highlights a dynamic characteristic.

Recommendations

- Remove some of the cited excessive informational requirements.
- Abolish the mandatory notification policy and the non-recognition policy of any denomination other than the BOC.
- Establish procedures for existential recognition.

Restriction tools implemented

- Ambiguity as to the mandatory nature of registration, looks to be encouraged for national religious groups; part is stipulatory registration.
- A degree of normativism exists.
- Intrusive informational requirements.
- Partial recognition is in effect.
- Some local restrictions on proselytism may apply.
- State privilege for the BOC.

History of RoRB classification

- Bulgaria has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Burkina Faso — Receptive

RoRB and national identity

- The Constitution of Burkina Faso makes an explicit claim to freedom of religion or belief, a right the government broadly upholds in practice.
- Burkina Faso is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Burkina Faso.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Burkina Faso demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not require religious groups to register with it in order to conduct basic religious activities. Registration confers legal entity status, also referred to in the legislation as legal recognition.
 - **Procedure:** religious groups can submit a registration application to the Ministry of Territorial, Administration, and Decentralisation.
 - **Role of the ONAFAR:** *in October, senior government officials indicated the government was monitoring preaching that could promote violence or intolerance on social media using ONAFAR. The MATD also announced the*

recruitment of a communication specialist to work on social media and strengthen the ONAFAR team.

- **Registry duration:** approximately three to four weeks.
- **Registration fees:** less than 50,000 CFA francs (\$86).
- **Monitorial requirements:** the Ministry of Territorial Administration and Decentralisation may request copies of proposed publications and broadcasts to verify they are in accordance with the nature of the religious group as stated in their registration, and it may conduct permit application reviews due to an identified increase in falsified membership lists.
- **State funding:** *the government allocated 75 million CFA francs (\$129,000) each to the Muslim, Catholic, Protestant, and animist communities, the same level as in previous years. Sources continued to state that this funding was meant to demonstrate equitable government support to all religious groups in the country.*
- **Registration rate:** *the government continued to routinely approve applications from religious groups for registration, according to religious group leaders, although the government indicated it had rejected some on “moral” grounds, such as the moral character of the person or group, lawful conduct of activities, and transparency in disclosing sources of income. Government officials indicated mosques had been closed as a result of application denials on moral grounds, but the central government does not maintain statistics on these closures.*

- Evaluations

- The imposition of stipulatory registration is permissible to RoRB standards as long as stipulations made do not interfere with “basic religious activities”.
- The registration fee imposed is permissible as it comes just under the \$100 threshold as set down in RoRB standards.
- The monitorial requirements are slightly concerning depending on the severity of their implementation; these are permissible as long as they are not misused against groups seen as unfavourable by the government.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Burkina Faso as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Hieronymy:** the legality of importing religious materials or devotional items into Burkina Faso both for personal and propagational use remains unclear. However, there are strict regulations concerning the exportation of religious materials and antiques from the country, usually requiring preapproval from the Ministry of Culture.
 - **Publishing and broadcasting:** *religious groups operate under the same regulatory framework for publishing and broadcasting as other entities. MATD may request copies of proposed publications and broadcasts to verify they are in accordance with the nature of the religious group as stated in its registration. MATD also reviews permit applications by religious groups.*

- Penal code
 - **Registered groups:** registered religious groups must comply with applicable regulations required of all registered organisations or be subject to a fine of 50,000 to 150,000 CFA francs (\$86 to \$260).

- Facilitation of religion or belief
 - **Dedicated ministry:** *the ministry, through the Directorate for Customary Affairs and Worship, helps organise religious pilgrimages; promotes and fosters inter-religious dialogue and peace; develops and implements measures for the construction of places of worship and the registration of religious organizations and religious congregations; and monitors the*

implementation of standards for burial, exhumation, and transfer of remains (which may include religious elements).

- **Ombudsmanship:** there is currently no ombudsman office established in Burkina Faso to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Animists:** *on August 6, the government issued a decree integrating the traditional animist communities into ONAFAR, providing animist communities with representation in the government agency responsible for promoting inter-religious dialogue as well as preventing and managing conflicts of a religious nature.*
- **Violent extremism:** *Muslims and Christians faced violent attacks from armed groups and assailants during 2020. In February, Islamist militants kidnapped seven people who visited a pastor's home in the town of Sebba; five of them, including the pastor, were subsequently found dead. That same month, assailants attacked a church in the northern village of Pansi, killing at least 24 people. In August, Djibo imam Souaibou Cissé was found dead several days after he was abducted from a bus. President Kaboré condemned the killing of Cissé, calling it an attack on the country's "model of religious tolerance." In November, unidentified assailants threw an incendiary device into a Kossodo mosque during a religious service.*

Overview

- Existential recognition and legal registration look to be amalgamated with a focus on the latter.
- An administration fee is applied which is not inappropriate.
- Concerning subjectivity exists in what "applicable regulations" entails; the subjectivity here needs to be monitored so that regulations are not unjustly applied or do not morph into restrictions.
- The government's request for publications and broadcasts of religious groups is concerning as this demonstrates state intrusion into the internal affairs of the organisation; although this request

may be taken as a precaution by the government, its application must be monitored to ensure it does not descend into restrictivity; although in other cases, such a policy would result in restrictive status, the general approach of the government in all other areas of religious freedom protection suggest that this policy does not have the intentional of undue regulation.

- Ongoing violence perpetrated by extremist groups needs to be combatted through education and greater means of existential recognition to demonstrate the importance of the diversity of religion and belief.

Positive elements

- Provisions are put in place for the state to provide support for registered groups which highlights a dynamic characteristic in the present system.
- Horizontal recognition in effect.

Recommendations

- To achieve dynamic status, an independent recognition agency needs to be established to monitor and guide religious recognition activity and its meaningful impact.
- Dissolve borderline excessive informational requirements and ensure that separate procedures exist for legal registration and existential recognition to resolve this issue of amalgamation.

Restriction tools implemented

- Ambiguity exists regarding the degree to which proselytism is allowed, particularly for NRMs.
- Government review of religious materials is in effect; not thought to be restrictive due to the generally tolerant nature of the overall state approach but must be monitored and cannot be given dynamic status until this is reversed.
- Stipulatory registration.
- Subjectivity in the legislation which could lead to misuse if not monitored by an independent agency.

History of RoRB classification

- Burkina Faso has been classified Receptive according to the SRR since the first iteration of the RoRB Index in 2021.

Burundi, Republic of — Restrictive

RoRB and national identity

- The Constitution of Burundi makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice but with some infractions.
- The Republic of Burundi is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Burundi.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Burundi demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all religious groups register with it in order to conduct basic religious activities.
 - **Procedure:** religious groups register with the Ministry of Interior through a 2014 law governing the operational structures of religious groups.
 - **Registration fee:** a 20,000 Burundian franc (\$10) fee for registration.
 - **Regulations by specific types of groups:** the law imposes further regulations onto certain other types of religious groups.

- **Membership quota:** groups new or independent of those already registered must have a minimum of 300 members.
- **Membership quota:** foreign-based religious groups seeking to establish a presence in the country must have 500 members.
- **Informational requirements:** a copy of its bylaws, the address of its headquarters in the country, an address abroad if the local institution is part of a larger group, and the names and addresses of the association's governing body and legal representative. Identification of any property and bank accounts owned by the religious group.
- **Registration benefits:** *the law on religious groups does not provide broad tax exemptions or other benefits for religious groups; however, the financial laws exempt from tax goods imported by religious groups if the groups can demonstrate importation of the goods is in the public interest.*
 - *The government continued to grant benefits such as tax waivers to religious groups for the acquisition of materials to manage development projects. According to the Burundi Revenue Authority, the government also granted tax waivers for imported items such as printed religious materials, wine for masses or other religious services, and equipment to produce communion wafers. The revenue agency organised a meeting with religious leaders to explain the obligation to pay tax on commercial activities of their groups.*
- **Religious schools:** *some religious schools have agreements with the government entitling them to tax exemptions when investing in infrastructure or purchasing school equipment and educational materials.*
- **Registry duration:** usually processes registration requests within two to four weeks.
- **Unregistration and deregistration:** active groups that do not register or those that continue to operate after deregistration may be subject to fines or the imprisonment of members, staff and leaders.
- **Monitorial requirements:** in 2017, the government set up a commission to monitor religious groups and guard against political subversion within them.

- Evaluations
 - The imposition of a mandatory registration policy is a violation of the Bielefeldt provision and is impermissible to RoRB standards.
 - The imposition of fines or imprisonment for unregistration or following deregistration is impermissible to RoRB standards.
 - The relatively swift registry duration is welcomed.
 - The imposition of membership quotas of any kind is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Multiformism:** the law prohibits membership in more than one religious group at the same time which may either be called multiple religious belonging or multiformism.
- Communal activity
 - **Foreign religious activity:** the law prohibits foreigners from being part of executive and decision-making committees of religious groups at the national level.
 - **Hieronymy:** the importation of religious materials or devotional items into Burundi is permitted without restriction, both for personal and propagational use.
- Penal code
 - **Unregistered or deregistered groups:** leaders, administrators, or adherents of religious groups who continue to practice after their registration has been denied, or after a group has been dissolved or suspended, are subject to six months' to five years' imprisonment and a fine.
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Burundi to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Catholics:** relations between the Burundian government and the Roman Catholic Church, of which a majority of Burundians are members, have worsened in recent years. In September 2019, senior government officials called for the defrocking of a group of Catholic bishops who accused the ruling party of instigating political violence.
- **Political dissent:** in September 2019, the Commission of Inquiry reported that the government was exerting more control over churches to curb political dissent.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration with no procedures established for existential recognition.
- An appropriate registration fee exists.
- Informational requirements exist for the registration process but these do not necessarily amount to intrusion although they should still be monitored for being overbearing or for misuse.
- Further requirements for registration in membership quotas, restrictions on multiformism, and restrictions on foreigners in leading religious activities are evidential of the government's restrictive approach; the government participates in violent acts to pursue these ends then Burundi will move to the censorious classification.
- The rule of mandatory registration contravenes the Bielefeldt provision.
- Provisions are not put in place for the financial support of religious groups and their activities which do not demonstrate dynamic character.
- Government monitoring of religious groups for political subversion is also of concern.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- End membership quotas and other unnecessary registration requirements.
- End the cited retributions.
- Halt government involvement in the internal affairs of religious bodies and halt government monitoring of religious activity.
- Reverse laws restricting on religious activity.
- Revoke the mandatory registration policy.
- Take a more receptive approach to non-traditional religious and belief groups.

Restriction tools implemented

- Activity by non-registered groups is not permitted.
- Government involvement in the internal affairs of religious organisations.
- Government monitoring of religious activity to identify any forms of “political subversion.”
- Informational requirements are on the borderline of being intrusive.
- Laws on proselytism remain vague.
- Mandatory registration.
- Membership quotas are in place.
- Retributions exists for unregistration including fines and imprisonments.

History of RoRB classification

- Burundi has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Cabo Verde, Republic of — Restrictive

RoRB and national identity

- The Constitution of Cape Verde makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice but with some infractions.
- The Republic of Cabo Verde is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** *A concordat between the government and the Holy See recognises the legal status of the Catholic Church and its right to carry out its apostolic mission freely. The concordat further recognises Catholic marriages under civil law and the right of Catholics to carry out religious observances on Sundays, and it specifies a number of Catholic holidays as public holidays. It protects places of worship and other Catholic properties and provides for religious educational institutions, charitable activities, and pastoral work in the military, hospitals, and penal institutions. The concordat exempts Church revenues and properties used in religious and nonprofit activities from taxes and makes contributions to the Church tax deductible.*
- Evaluations
 - There is a bilateral cooperation agreement between the Catholic Church and the Cape Verdean government.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that religious groups register with it although there are no stipulated repercussions for groups that do not register.

- **Procedure:** religious groups must submit a registration application to the Ministry of Justice
- **Informational requirements:** a copy of its charter and statutes signed by its members.
- **Registration benefits:** *exemptions from national, regional, and local taxes and fees. Registered religious groups may receive exemptions from taxes and fees in connection with places of worship or other buildings intended for religious purposes, activities with exclusively religious purposes, institutions and seminaries intended for religious education or training of religious leaders, goods purchased for religious purposes, and distribution of publications with information on places of worship; access to broadcasting time.*
- **Signature quota:** *updates to the law on religions in 2014 require religious groups to obtain the notarised signatures of 500 members before they may begin any activities related to developing their presence in the country. Failure to present the required signatures prevents religious groups from completing their formal registration process and obtaining tax-exempt status and protections to property and presence in the country.*

- Evaluations

- The imposition of a mandatory registration policy is impermissible to RoRB standards.
- The imposition of a signature quota onto religious groups since 2014 is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is insufficient information regarding self-identification in Cape Verde as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity

- **Broadcasting:** legally registered churches and religious groups may use broadcast time on public radio and television at their own expense.
- **Hieronymy:** the importation of religious materials or devotional items into Cape Verde is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is insufficient information about Cape Verde's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Cape Verde to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Catholics:** *the constitution establishes the separation of church and state, though the Roman Catholic Church receives some privileges, such as the recognition of Catholic marriages under civil law.*

Overview

- State privilege for the Catholic Church.
- Existential recognition is bestowed only to the Catholic Church while all other forms of religion and belief are offered only legal registration.
- The rule of mandatory registration is a violation of the Bielefeldt provision, a rule that was made more severe by the introduction of a membership quota which stipulates the requirement of 500 notarised signatures of members before any activity can take place.

- The subjective phrase “presence in the country” encompasses a broad area of activities for a religious group that namely includes protected religious activities.

Positive elements

- Provisions have been put in place for registered religious groups to access means of broadcasting which demonstrates a dynamic characteristic.

Recommendations

- Establish a recognition system that has the capacity to bestow both existential recognition and legal registration.
- Remove subjective wording from the legislation in order to ensure that misuse of the legislation does not occur.
- Revoke all restrictive policies and requirements that are inappropriate to standards of freedom of religion or belief.
- Take a more receptive approach to minorities and NRMs as a means of moving up the Spectrum of Religious Recognition.

Restriction tools implemented

- Informational requirements are borderline intrusive.
- Mandatory registration for religious groups.
- Membership quota intertwined with mandatory registration.
- Partial recognition is in effect.
- State privilege.
- Subjectivity exists in the language of the legislation which is likely to be used against religious groups.

History of RoRB classification

- Cape Verde has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Cambodia, Kingdom of — Restrictive

RoRB and national identity

- The Constitution of Cambodia makes an explicit claim to freedom of religion or belief and although the government generally upholds this right in practice some infractions are evident.
- The Constitution declares Buddhism as the state religion of Cambodia.
- Although Theravada Buddhism is the most widespread denomination, there has been no statements explicitly declaring this branch of Buddhism as the state denomination.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Cambodia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Cambodia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** all religious groups must register with the government even to conduct basic religious activities.
 - **Multi-registration:** registration requires approvals from numerous local, provincial, and national government offices.
 - **Informational requirements:** the goals of their religious organisation; describe its activities; provide biographical

information for all religious leaders; describe funding sources; and submit annual reports detailing all activities.

- **Qualifications:** groups must refrain from insulting other religious groups, fomenting disputes, or undermining national security.
- **Registry duration:** can take up to 90 days.
- **Registration benefits:** an income tax exemption from the Ministry of Economy and Finance.
- **Unregistration:** presently, there are no stipulated penalties for failing to register.
- **Places of worship, religious schools and offices of prayer:** the law requires separate registration of all places of worship and religious schools.
 - **Unregistration:** authorities may temporarily shut down unregistered places of worship and religious schools until they are registered.
 - **Place of worship registration procedure:** a permit application should be sent to the local government authority closest to where the place of worship is located.
 - **Qualifications:** founders of the place of worship must own the structure and the land on which it is located.
 - **Capacity quota:** a minimum capacity of 200 persons.
 - **Membership quota:** at least 100 congregants.
 - **Zoning quota:** places of worship must be located at least two kilometres (1.2 miles) from each other. The distance requirement applies only to the construction of new places of worship and not to offices of religious organisations or offices of prayer.
 - **Usage:** places of worship may not be used for political purposes or to house criminals or fugitives.
 - **Office of prayer registration procedure:** a permit application should be sent to the local government authority closest to where the office of prayer is located.
 - **Qualifications:** may be located in a rented property and has no minimum capacity requirement.
 - **Membership quota:** at least 25 congregants.
- Evaluations

- The imposition of mandatory registration for religious groups to conduct activities classified as “basic” is impermissible to RoRB standards.
- The imposition of a capacity quota, of membership quotas, and of multi-layered registration procedures that are onerous are all impermissible to RoRB standards.
- Informational requirements requesting biographical information of religious leaders, descriptions of activities, and descriptions of funding sources are all impermissible to RoRB standards regarding appropriate informational requirements.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Cambodia as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Forced conversion:** the law prohibits offers of money or materials to convince persons to convert.
 - **Hieronymy:** the importation of religious materials or devotional items into Cambodia is prohibited, both for personal but especially for propagational use.
 - **Owning and using land for religious purposes:** *the law does not provide authorization for a religious entity to own land, compelling some religious leaders to register land in their personal capacity rather than that of their organization. There is no visa category specifically applicable to religious workers. A Ministry of Culture and Fine Arts official stated that the ministry was actively working to register land for indigenous communities based on the land’s importance to religious worship in response to previous complaints about sluggish land registration and deforestation affecting spiritual practices and economic livelihoods.*

- **Proselytism:** the law bans non-Buddhist groups from door-to-door proselytising.
- **Public position requirements:** *in December, the government issued a directive restricting monks from participating in political protests and requiring them to be politically neutral. The directive came after authorities arrested a monk for being active on social and environmental issues. The MCR, in consultation with religious leaders of several faiths, prepared a draft law criminalising “religious people” who participate in political acts, including “organised activity against any political party.” Experts who reviewed the draft legislation said the term “religious people” is commonly used to refer to monks and is not further defined in the draft law, making it unclear if the proposed rule would apply to non-Buddhists. Criminal penalties could include up to 15 years in prison.*
- **Religious literature:** non-Buddhist literature may be distributed only inside religious institutions.
- **State-appointment of religious leaders:** *the ruling Cambodian People’s Party, though the MCR, exercised control over appointments to leadership positions in the country’s primary Buddhist and Muslim groups. Senior Buddhist leadership positions were approved by the Prime Minister and the King. In June, the government announced that a top Buddhist leader, Supreme Patriarch Bour Kry, had appointed an online lotion vendor and a fortune teller as personal advisors, a decision which drew strong public criticism on social media, given the advisors’ perceived lack of education and religious training.*
- Penal code
 - There is insufficient information about Cambodia’s penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Cambodia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Minorities:** societal discrimination against religious and ethnic minorities persists.
- **State disinformation:** the government has increasingly used Facebook to spread disinformation about or smear activist monks; one such monk, Luon Sovath, fled the country in 2020 after being targeted.

Overview

- Buddhism is the state religion.
- Partial recognition exists whereby even if a group receives registration this does not equate to the same existential recognition that Buddhism as a belief system receives; therefore, legal registration is the only means of recognition for all non-Buddhist entities.
- Societal discrimination against minorities should be resolved through greater government engagement with the tool of recognition to promote diversity of belief, improve religious education, and to reaffirm the protected, recognised statuses of minority groups.
- The rule of mandatory registration violates the Bielefeldt provision that registration should only be voluntary when a group is only conducting its worship activities; however, there presently exists no clearly stipulated penalties for unregistration.
- Zoning laws stated seem reasonable but require continued monitoring for potential misuse.

Positive elements

- Nil.

Recommendations

- Dissolve aspects of legislation that are cumbersome and restrictive (e.g. multi-level authorisation, capacity and membership quotas, mandatory registration).
- End restrictions placed on non-Buddhist activities including proselytism and distribution of literatures.
- Establish a system for existential recognition that possesses the provisions to protect non-Buddhist belief systems and groups.

Restriction tools implemented

- Ban on non-Buddhist proselytism.
- Capacity quotas for places of worship correspond to the same violations of freedoms as membership quotas.
- Intrusive informational requirements exist.
- Mandatory registration for religious groups.
- Membership quotas in terms of supportive congregants.
- Multi-level authorisation for the registration process exerts unnecessary bureaucracy.
- Partial recognition is in effect.
- State religion.
- Unnecessary registration of each individual building associated with a registered group; this contravenes the Bielefeldt provision.

History of RoRB classification

- Cambodia has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Cameroon, Republic of — Restrictive

RoRB and national identity

- The Constitution of Cameroon makes an explicit claim to freedom of religion or belief, a claim the government generally upholds but with some infractions in practice.
- The Republic of Cameroon is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Cameroon.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Cameroon demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not mandate that religious groups register with it, the fact that to conduct some basic religious activities requires registration in effect makes procedures mandatory; it is implied in the legislation that the registration procedure is localised rather than centralised.
 - **Procedure:** a submission is to be sent to the relevant “divisional office” which then forwards the application on to the Ministry of Territorial Administration (MINAT). The MINAT reviews the file and sends it to the presidency with a recommendation to approve or deny; as such, authorisation is granted only by presidential decree.

- **Legal designation:** religious congregation.
- **Qualifications:** *to become a recognised entity in law, a religious group must quantify as a congregation which is defined as “any group of natural persons or corporate bodies whose vocation is divine worship” or “any group of persons living in community in accordance with a religious doctrine.”*
- **Informational requirements:** *the group’s charter which describes planned activities, names, and functions of the group’s officials, and a declaration of commitment to comply with the law on freedom of association.*
- **Deregistration:** *the president may dissolve any previously authorised religious organisation that “deviates from its initial focus.” The MINAT may issue an order to suspend any religious group for “disturbing public order”, although no legislation defines these terms.*
- **Non-response to pending applications:** *the government took no action to adjudicate applications for the registration of several religious groups that had been pending for years. The government approved only one new religious group in the last 18 years and none since 2010. Although by law groups must register, the government continued to allow hundreds of unregistered small religious groups to operate freely under a policy of “administrative tolerance.” In June, approximately 50 Pentecostal churches that had been functioning in secret in Yaounde submitted their registration documents to the prefect of Yaounde I subdivision and expressed the desire to be recognized officially, according to a local media outlet. As of the end of the year, the churches in question remained unregistered. According to a local religious leader, the government was reluctant to register many faith-based organizations, such as Pentecostal churches, partly because they “lacked the ability to coordinate their actions and activities,” unlike Catholic and mainline Protestant churches.*
- **Denial of registration:** *on October 26, an official of the government-sponsored Cameroon Human Rights Commission (CHRC) said that in many instances, the government could not register faith-based organizations because of their inability to meet the legal criteria and present required documentation. According to the CHRC official, the government was also reluctant to recognize the existence of*

faith-based organizations it assessed had ulterior financial motives. Some religious group members continued to suggest the government used the delay in registrations to curb unregistered churches and to create tension between those with proper credentials and those without.

- Evaluations
 - The imposition of pseudo-mandatory registration is impermissible to RoRB standards.
 - The grounds for deregistration are ambiguous and vulnerable to misapplication by the government against the groups that it may deem as unfavourable.
 - The qualifications outlined use narrow terminology which could easily be misused to exclude groups that do not conform to such definitions of religion, an example being the use of the phrase “divine worship”.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Cameroon as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hierony:** the importation of religious materials or devotional items into Cameroon is permitted without restriction, both for personal and propagational use. Religious books and devotional items are exempted from the country’s Import Verification Program (IVP).
- Penal code
 - **Violent extremism:** *religious freedom is somewhat restricted in northern areas affected by the presence of the Boko Haram extremist group, which has carried out violent attacks against places of worship. In addition, random attacks against believers*

and facilities in connection with the conflict in the Northwest and Southwest regions are common. In November 2020, Roman Catholic cardinal Christian Tumi was kidnapped by gunmen in Cameroon's Northwest Region, but was freed shortly after.

- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Cameroon to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Cameroon for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated.
- Although “unauthorised religious groups” are allowed to gather publicly and worship, the tone of the legislation seems not to acknowledge that such groups are entitled to engage this activity whether authorised by the state or not.
- Legal registration dependent upon approval from the presidency does not correspond with standards for registration.
- Ongoing violence and extremist activity needs to be combatted in part by greater engagement with the tool of recognition to promote religious education, broader acceptance of religious and belief diversity, and to reaffirm the validity of minorities and NRMs through both legal registration and crucially, existential recognition.
- State definitions of what a religious group constitutes contravenes the Durham principles and equates to unreasonable government involvement in the internal affairs of religious groups.
- The country will be moved to a censorious classification if instances of government violence to maintain its restrictions are reported.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Reverse the use of broad grounds for the deregistration of groups unfavoured by the government.
- Abolish state definition of religion and the imposition of a authoritative decree.
- Establish an independent recognition agency to deal with recognition and registration rather than governmental departments.

Restriction tools implemented

- Borderline intrusive informational requirements.
- Politicisation of the registration process due to registration being contingent on presidential decree.
- State definitions and conceptions of religion and belief.
- Stipulatory registration.
- Subjectivity exists within the legislation that may be used for the purposes of unjust regulation (restriction).
- Unnecessary administrative bureaucracy which is likely used as a means of restriction.

History of RoRB classification

- Cameroon has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Canada — Apathetic

RoRB and national identity

- The Canadian Constitution makes an explicit claim to freedom of religion or belief and this right is broadly upheld in practice by the government.
- Canada is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for existential recognition in Canada.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Canada demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government only requests that religious groups register with if they seek tax-exempt status but not to conduct basic religious activities.
 - **Procedure:** tax-exempt status is granted by the Charities Directorate of the Canada Revenue Agency.
 - **Qualifications:** to gain tax-exempt status, the group must be non-political.
 - **Monitorial requirements:** to retain tax-exempt status, a group must undergo periodic audits.
 - **Registration benefits:** non-profit status provides such organisations with federal and provincial sales tax reductions, rebates, and exemptions. Non-profit status also

grants members of the clergy⁷ various federal benefits, including a housing deduction under the tax code, and expedited processing through the immigration system. Individual citizens who donate to tax-exempt religious groups receive a federal tax receipt entitling them to federal income tax deductions.

- Evaluations
 - The Canadian government's implementation of stipulatory regulation is permissible to RoRB standards as long as stipulations made do not interfere with a group's free practice of "basic religious activities".
 - It is permissible for a group to undergo periodic audits to maintain tax-exempt status as long as groups are not judged for the contents of their beliefs and practices, only on their financial and operational activities; also, during periodic audits, all groups must be treated equally.

Law and policy on religion and belief

- Self-identification
 - **Religious attire of government officials:** *a Quebec government law passed and implemented in 2019 prohibits certain provincial government employees from wearing religious symbols while exercising their official functions. The law defines a religious symbol as "any object, including clothing, a symbol, jewellery, an adornment, an accessory, or headwear, that (1) is worn in connection with a religious conviction or belief; or (2) is reasonably considered as referring to a religious affiliation." Among categories included in the law are president and vice presidents of the national assembly; administrative justices of the peace; certain municipal court employees; police, sheriffs, and deputy sheriffs; certain prosecutors and criminal lawyers;*

⁷ in Canadian law, the term "clergy" includes persons whose communities have licensed, ordained, or otherwise formally recognised them for their religious leadership and authority to perform spiritual duties and services within their religious organisation.

and certain principals, vice principals, and teachers, among others. The law also requires anyone seeking certain provincial government services to do so with “face uncovered.” The law invoked the “notwithstanding clause” of the federal constitution, which permits a province to override specific constitutional protections for a period of five years to prevent citizens from bringing challenges to the law based on the federal constitution. The religious symbols ban applies to public school teachers, government lawyers, judges, prison guards, and police officers, among others. It exempts provincial employees working prior to the implementation of the law, but they lose their right to wear religious symbols upon changing jobs or receiving a promotion.

- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Canada is permitted without restriction, both for personal and propagational use. Although matter “obscene, immoral, indecent or scurrilous” is prohibited, it is not considered that this includes heterodox religious literature or alternative devotional items as may be the case in other countries where the holy book of a minority faith may be classified “immoral”.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Canada’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there are various ombudsman offices established in Canada, specifically the Canadian Ombudsperson for Responsible Enterprise (CORE) who is responsible for cases of human rights violation. There are also ombudspersons for each province and territory of the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Canada for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; recognition is only possible through a process of legal registration which is itself devolved to the capacity of extending only tax-exempt status.
- The 2019 law prohibiting the wearing of religious symbols for government employees is concerning; its implementation is regarded as caused by a lack of sufficient existential recognition in Canada for persons and communities of different faiths and for the belief systems and denominations themselves.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Establish a recognition system that caters for both existential recognition and legal registration simultaneously; to make this system dynamic, it would need to cater to both traditional or established belief systems and their derivatives as well as minorities and NRMs.
- This system should be complemented by the establishment of an independent recognition agency to ensure the system functions sufficiently and that does not come restrictive.

Restriction tools implemented

- Apathetic unstructure.
- Stipulatory registration.

History of RoRB classification

- Canada has been classified Apathetic according to the SRR since the first iteration of the RoRB Index in 2021.

Cayman Islands — Apathetic

RoRB and national identity

- UK law on religious recognition is not applied in the Cayman Islands.

Recognition law

- Structures and procedures for existential recognition
 - There is limited information on existential recognition for religions in the Cayman Islands for this First Edition of *Recognition of Religion or Belief*.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations or BBOs in the Cayman Islands as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in the Cayman Islands as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into the Cayman Islands is permitted without restriction, both for personal and propagational use.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of the Cayman Islands' penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in the Cayman Islands to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in the Cayman Islands for this First Edition of *Recognition of Religion or Belief*.

Overview

- Unsure of the existence of a recognition system – perhaps connected to the United Kingdom as a British Overseas Territory.

Restriction tools implemented

- Non-percolative recognition.

History of RoRB classification

- The Cayman Islands has been classified Apathetic according to the SRR since the first iteration of the RoRB Index in 2021.

Central African Republic — Restrictive

RoRB and national identity

- The Constitution of Central African Republic makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice but with some evident infractions.
- The Central African Republic is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in the Central African Republic.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in the Central African Republic demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Discriminatory registration:** the government mandates that all religious groups, except indigenous groups, register with it in order to conduct basic religious activities (broad mandatory registration policy). Indigenous religious groups may recent exemptions and benefits regardless of their registered status.
 - **Procedures:** applicant religious groups are required to register with the Ministry of the Interior, Public Security and Territorial Administration. There are no fees for registration as a religious organisation.
 - **Legal designation:** religious organisation.

- **Membership quota:** at least 1,000 members.
 - **Qualifications:** the membership quota figure of 1,000 members needs to be proven although it is not stated how, likely through the latest national census figures; leaders of the group must also have adequate religious education, as judged by the ministry.
 - **Registration benefits:** official recognition and financial benefits such as exemptions from customs tariffs for vehicles or equipment imported into the country.
 - **Denial of registration:** the law permits the denial of registration to any religious group deemed offensive to public morals or likely to disturb social peace.
 - **Deregistration:** the law allows the suspension of registered religious groups if their activities are judged subversive by legal entities.
 - **Unregistration:** there are no prescribed penalties for groups that fail to register but this ambiguity over penalties does not mean they are non-existent.
- Evaluations
 - The imposition of a discriminatory registration policy is impermissible to RoRB standards.
 - The ambiguous grounds on which registration may be denied by the government makes groups unfavoured vulnerable to being mistreated during registration procedures.
 - The imposition of a membership quota onto religious groups seeking registration is impermissible to RoRB standards.
 - Unclear policy over unregistration is also impermissible to RoRB standards because the system remains vulnerable to misuse in this case.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in the Central African Republic as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into the Central African Republic is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is insufficient information about the Central African Republic's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in the Central African Republic to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Inter-religious conflict**: in 2019, sectarian clashes continued to threaten the free practice of religion. Muslims and Christian residents in Bangui remain segregated in separate enclaves, and fears of identity-based violence by armed actors impede free religious expression.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated as is held in recognitionism; legal registration seems to equate to existential recognition.
- The restrictive requirement of membership quotas and the subjective requirement of adequately educated religious leaders provide ample scope for the government to restrict the registration process.
- Further subjective terminology used in the legislation such as the deregistering of groups that are judged to be "subversive" creates

additional scope for the government to unjustly restrict religious activity that it does not approve of.

- The ongoing violence in the society and interethnic tensions are regarded to be helped in part through the use of recognition as a tool to spread awareness of the importance of the diversity of belief and practice and to expand religious education
- The rule of mandatory registration contravenes the Bielefeldt provision.

Positive elements

- Horizontal recognition is in effect.
- Procedures exist for existential recognition and although this may not exactly corresponding to the existential recognition of recognitionist theory, this is a receptive attribute.

Recommendations

- Abolish excessive qualifications and membership quota; broad grounds for the denial of registration must no longer be used against religious groups unfavoured by the government.
- Provide greater clarity on laws regarding unregistration.
- Establish differentiation between legal registration for physical entities (e.g. organisations) and existential recognition for abstract entities (e.g. belief systems, denominations, communities).

Restriction tools implemented

- A degree of unstructure exists.
- Ambiguity exist as to the legality of proselytism.
- Mandatory registration for religious groups except indigenous groups.
- Membership quotas are in effect.
- Retributions for unregistration are not known to exist although the situation remains ambiguous.
- Subjective legislation exists that may be easily misused for restrictive purposes.

History of RoRB classification

- The Central African Republic has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Chad, Republic of — Restrictive

RoRB and national identity

- The Constitution of Chad makes an implicit claim to freedom of religion or belief while the government generally upholds in practice this right some infractions are evident.
- The Republic of Chad is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Chad.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Chad demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that religious groups register with it (broad mandatory policy).
 - **Procedure:** religious groups are obligated to send an application to the Ministry of Territorial Administration and Decentralised Territorial Collectivities.
 - **Legal designation:** religious groups are legally designated as associations.
 - **Informational requirements:** a list of all the founding members and their positions in the organisation, founders' resumes, copies of the founders' identification cards, minutes of the establishment meetings, a letter to the minister requesting registration, principal source of the organisation's revenue, address of the organisation, a copy

of its rules and procedures, and statutory documents of the organisation.

- **Temporary recognition:** *the ministry conducts background checks on every founding member and establishes a six-month temporary, but renewable, authorization period to operate, pending final authorization and approval.*
- **Unregistration:** failure to register with the ministry means that organisations are not considered legal entities and may not open bank accounts or enter into contracts; it may also lead to the banning of a group. Group leaders may be subjected to fines if they lead unregistered religious groups.
- **Registration benefits:** registration does not confer tax preferences or other benefits.

- Evaluations

- The imposition of a mandatory registration policy is impermissible to RoRB standards.
- The possibility of a group being banned due to unregistration is impermissible to RoRB standards.
- The imposition of temporary recognition status is permissible to RoRB standards as long as it is not misused in order to delay the completion of registration of unfavoured groups.
- Requesting biographical information of founding members beyond their names and role in the organisation is impermissible to RoRB standards due to the vulnerability of this information to be misused.

Law and policy on religion and belief

- Self-identification

- **Religious attire:** burqas, defined by ministerial notice as any garment where one sees only the eyes, are forbidden by ministerial decree. The ministerial notice also applies to niqabs, although this reportedly is not enforced.

- Communal activity

- **Hieronymy:** the importation of religious materials or devotional items into Chad is permitted without restriction, both for personal and propagational use.
- Penal code
 - **Unregistered religious groups:** group founders or board members may be subject to one month to one year in prison and a fine of 50,000 to 500,000 CFA francs (\$86 to \$860) for failure to register.
- Facilitation of religion or belief
 - **Dedicated office:** *the Office of the Director of Religious and Traditional Affairs under the Ministry of Territorial Administration and Decentralized Territorial Collectivities oversees religious matters. The office is responsible for mediating intercommunal conflict, reporting on religious practices, and ensuring religious freedom. It also reports concerns and suggestions regarding religious activities to the Minister of Territorial Administration, who has the authority to ban or sanction activities.*
 - **Operations:** the position of office director rotates every two years among Muslims, Protestants, and Catholics. The office contains a special bureau for Hajj and Umrah under the supervision of the Presidency of the Republic, with members chosen annually by presidential decree. The HCIA deals directly with the Ministry of Territorial Administration and Decentralized Territorial Collectivities or with the civil office of the President of the Republic to address concerns with Wahhabi groups.
 - **Ombudsmanship:** there is currently no ombudsman office established in Chad to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims:** *the state imposes a number of religious restrictions, primarily against certain Muslim sects. Several sects deemed to*

promote violence are banned, despite limited evidence of such activity. Imams are subject to governance by the semipublic High Council for Islamic Affairs, which is led by a group of imams belonging to the Tijanyya Sufi order.

Overview

- Intrusive informational requirements include listing details of the members of the applicant organisation.
- Wearing of religious clothing, primarily the burqa, is restricted.
- The retributions of fines and imprisonment for unregistration are serious violations of religious freedom.
- The rule of mandatory registration contravenes the Bielefeldt provision.
- The two-step registration process may be established as a precaution could be easily misused.

Positive elements

- Horizontal recognition is in effect.
- The Office of the Director of Religious and Traditional Affairs is an established procedure for ensuring religious freedoms are upheld; although there are ongoing structural issues with the politicisation of this office, this remains a receptive attribute of the overall Chadian system.

Recommendations

- Dissolve existent restrictions in the registration process such as rules surrounding unregistered groups, temporary recognition and excessive informational requirements.
- Making the Office of the Director of Religious and Traditional Affairs independent from government would make the Chadian system more dynamic.
- Revoke mandatory registration rule in order to move to Receptive status.

Restriction tools implemented

- Ambiguity remains as to the legality of proselytism.
- Intrusive informational requirements exist.
- Mandatory registration for religious groups.
- Restrictions exist on religious clothing, namely burqas and many restrictions exist against Islamic organisations.
- Retributions for unregistration include fines and imprisonment.
- Unregistration leads to the banning of the group and likely also retribution.
- Use of administrative as a means to restrict.

History of RoRB classification

- Chad has been classified Restrictive according to the SRR since the first iteration of the RoRB Index in 2021.

Chile, Republic of — Receptive

RoRB and national identity

- The Constitution of Chile makes an explicit claim to freedom of religion or belief, a claim the government broadly upholds in practice.
- The Republic of Chile is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Chile.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Chile demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not require religious groups to register but offers tax benefits for those which do. One registration per religious group is sufficient to extend nonprofit status to affiliates, such as additional places of worship or schools, clubs, or sports organisations, without registering them as separate entities.
 - **Procedure:** religious organisations have the option of adopting a charter and bylaws suited to a religious entity rather than to a private corporation or a secular nonprofit.
 - **Registration benefits:** tax exemptions and tax deductions.
 - **Legal designation:** religious non-profit organisation.
 - **Informational requirements:** *applicants for religious nonprofit status must provide the MOJ an authorized copy of*

their charter and corresponding bylaws with charter members' signatures and their national identification numbers. The bylaws must include the organisation's mission, creed, and structure. The charter must specify the signatories, the name of the organisation, and its physical address, and it must include confirmation that the religious institution's charter signatories approved the bylaws.

- **Regulatory interval and denial of registration:** *by law, the Ministry of Justice (MOJ) may not refuse to accept the registration petition of a religious entity, although it may object to petitions within 90 days if legal prerequisites for registration are not satisfied. In the event the MOJ raises objections to the group, the group may petition; the petitioning group has 60 days to address the MOJ's objections or challenge them in court.*
- **Role of the ONAR:** *ONAR is charged with facilitating communication between faith communities and the government and ensuring the protection of the rights of religious minorities.*
- **Registration rate:** *according to ONAR, public law recognises more than 3,200 religious organisations as legal entities, mostly small evangelical or Pentecostal churches.*
- **Deregistration:** *once a religious entity is registered, the state may not dissolve it by decree. If concerns are raised regarding a religious group's activities after registration, the semiautonomous Council for the Defense of the State may initiate a judicial review of the matter. The government has never deregistered a legally registered group.*

- Evaluations

- The imposition of stipulatory registration policy is permissible to RoRB standards as long as no interference of “basic religious activities” takes place.
- The high registration rate is a positive sign that registration procedures are not onerous.
- The provision of a deregistration procedure is permissible to RoRB standards; the fact that the government hasn't ever implemented this procedure is a positive sign that it is not misused.

- The implementation of regulatory interval as a form of the government's self-regulation is welcomed.

Law and policy on religion and belief

- Self-identification
 - **Conscientious objection:** *by law, registration for possible conscription to the military is mandatory for all men between the ages of 17 and 45. Alternative service, by working for the armed forces in a job related to the selectee's expertise, is possible only for those studying in certain fields. The law makes no provision for conscientious objection. Only ministers or priests from registered religious organisations are exempted on religious grounds.*
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Chile is permitted without restriction, both for personal and propagational use.
 - **Organisation:** under the law, religious non-profit organisations may create affiliates, such as charitable foundations, schools, or additional houses of worship, which retain the tax benefits of the religious parent organisation.
 - **Pastoral services:** *the law grants religious groups the right to appoint chaplains to offer religious services in public hospitals and prisons. Prisoners may request religious accommodations. Regulations for armed forces and law enforcement agencies allow officially registered religious groups to appoint chaplains to serve in each branch of the armed forces, the national uniformed police, and the national investigative police.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Chile's penal code.

- Facilitation of religion or belief
 - **Education on RoRB:** *in August, ONAR hosted a virtual symposium entitled, “How Does the State Recognize the Spirituality of Our Native Communities?” which addressed religious freedom of the country’s indigenous communities. ONAR Director Medina described the symposium as a point of convergence between ancestral spirituality and Chilean society, highlighting ONAR’s efforts to promote religious freedom as a fundamental human right. Speakers included academics and representatives of the Mapuche and Aymara communities.*
 - **Ombudsmanship:** the public bodies of the National Institute of Human Rights and the Transparency Council both possess quasi-ombudsman function. An Office of Ombudsman for Children in Chile was created in 2018. However, there is no national ombudsman office which makes Chile the only country in South America to not have instituted such an office for the investigation of claims of human rights violation.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Chile for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration look to be amalgamated with a focus in the system on legal registration rather than existential recognition.

Positive elements

- Horizontal recognition is in effect.
- There are provisions in place to protect unjust deregistrations by the government of already registered organisations.

- The registration process sets out provisions so that organisations do not need to register sub-organisations and individual religious buildings.

Recommendations

- To make the Chilean system classify as dynamic, an independent recognition agency would need to be established.
- Establish differentiation between recognition and registration in order to cater to belief systems, denominations and communities for the former and organisations and individual religious buildings for the latter.

Restriction tools implemented

- Stipulatory registration.
- There exists a degree of subjective terminology in the legislation.

History of RoRB classification

- Chile has been classified Receptive in the SRR since the first iteration of the RoRB Index in 2021.

China, People's Republic of — Terminal

RoRB and national identity

- The Chinese Constitution makes a partial claim⁸ to freedom of religion or belief yet this right is not upheld in practice leading to the RFSRB citing it as a false claim to FoRB. Religious activities are constructed to what are defined as “normal religious activities” without providing an explicit definition of what “normal” constitutes.
- The People's Republic of China is a hypersecular state espousing state atheism.
- The Chinese Constitution cites the leadership of the CCP with guidance from Marxism-Leninism, Maoism and Xi Jinping Thought, all of which are socialist atheist ideologies.
- Religion may not be used to disrupt public order, impair the health of citizens, or interfere with the educational system.
- Members of the CCP and members of the armed forces are required to profess atheism and are prohibited from engaging in religious practice. If it is discovered that members belong to a religion, they will be subject to expulsion, however, these regulations are known to not be universally enforced. Restriction of religious affiliation are also applicable to retired CCP members and possibly veterans.

Recognition law

- Structures and procedures for existential recognition
 - **Recognised religions:** the Chinese government extends existential recognition to the following five religions/denominations: Buddhism, Catholicism, Islam, Protestantism and Taoism. Increased recognition of both Confucianism and Shenism has been seen in the last two decades although no

⁸ the constitution provides for the right to hold or not to hold a religious belief. It says state organs, public organisations, and individuals may not discriminate against citizens “who believe in or do not believe in any religion.” The constitution states, “religious bodies and religious affairs are not subject to any foreign domination.”

official pronouncements have been made to whether these two other religious/philosophical groupings will be included as part of the group of five already recognised.

- These designations should be seen as form of pseudo-recognition as the recognition proscribed to them by the CCP does not reflect the reality of their status in the country nor how members and representatives of these religions are treated by the state and its organs and officials.
- The state has established “religious associations” for each of the five recognised religions/denominations, to control members and activities of local branches nationwide. These are the Chinese Patriotic Catholic Association (CCPA) which is not in communion with the Pope in Rome, the Three-Self Patriotic Movement (TSPM) which manages Protestant churches in China, the Islamic Association of China (IAC), the Buddhist Association of China (BAC), and the Chinese Taoist Association. All three of these associations are subject to CCP rulings and are meant to supervise the nationwide community of their respective members.
- *The CCP is responsible for creating religious regulations and oversees the UFWD, which in turn manages SARA’s functions and responsibilities. SARA is responsible for implementing the CCP’s religious regulations and administers the provincial and local bureaus of religious affairs.*
- Term weaponisation: criminal law defines banned religious or spiritual groups as “cult organisations”.
- **Localised regulation:** besides the five official patriotic religious associations, local governments may permit those from unregistered religions to carry out worship practices. *In Heilongjiang, Zhejiang, and Guangdong Provinces, for example, local governments allow members of Orthodox Christian communities to participate in unregistered religious activities. These allowances are entirely at the discretion of the local government, the basis of which has been undeclared.*
- Evaluations

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government requires religious organisations to register with it but qualifies this regulation by stating that only groups belonging to one of the five state-sanctioned religious associations. In effect, no new religions may exist in China⁹ — except those already self-identifying as either Christian, Muslim, Buddhist or Taoist — as only organisations part of the five religious associations may legally hold worship services.
 - Other religious groups, such as Protestant churches unaffiliated with the TSPM or Catholics professing loyalty to the Holy See, are not permitted to register as legal entities and therefore are not allowed to conduct any activities as registration is the necessary prerequisite to legal activity in the country.
 - **Informational requirements:** information about the organisation’s historical background, members, doctrines, key publications, minimum funding requirements, and government sponsor, which must be one of the five state-sanctioned religious associations.
 - **Reregistration:** religious organisations must reregister if any changes are made to the informational requirements produced during their original registration application.
 - **Registration benefits:** possession of property, to publish approved materials, train staff, and collect donations, thereby facilitating authorities’ ability to track and regulate¹⁰ religious institutions. Legal entity status under the banner “legal person” becomes available to groups that have registered successfully under the designation nonprofit entity; this is according to Article 92 of the civil

⁹ the law does not provide a mechanism for religious groups independent of the five official patriotic religious associations to obtain legal status.

¹⁰ previously, bank accounts and real estate holdings were commonly held in the name of individual staff members, making it difficult in some cases for authorities to separate the financial matters of members from those of the religious institution.

code passed through the National People's Congress. Some subsidies for the construction of state-sanctioned places of worship and religious schools.

- **Role of the patriotic religious associations:** only the five patriotic religious associations may build places of worship, train religious leaders, publish literature and provide social services to their respective communities. The United Front Work Department (UFWD) and the Ministry of Civil Affairs provide policy guidance and supervision of regulating these patriotic religious associations.
- **Registration rate:** *the SARA continued to maintain publicly available statistics on some, but not all, registered religious groups. According to the SARA, there were 42,439 Buddhist temples and 8,349 Taoist temples registered in the country as of year's end. The SARA did not publish the number of registered Islamic mosques, Catholic churches, and Protestant churches. According to 2014 SARA statistics (the latest available), more than 5.7 million Catholics worshipped in sites registered to the CCPA. The SCIO's April 2018 white paper stated approximately 144,000 places of worship were registered to conduct religious activities in the country, among which were 33,500 Buddhist temples (including 28,000 Han Buddhist temples, 3,800 Tibetan Buddhist monasteries, and 1,700 Theravada Buddhist temples) 9,000 Taoist temples, 35,000 mosques, 6,000 CCPA churches and places of assembly spread across 98 dioceses, and 60,000 TSPM churches and places of assembly. The SCIO white paper also estimated there were more than 384,000 religious personnel in the country: 222,000 Buddhist, 40,000 Taoist, 57,000 Islamic, 57,000 Protestant, and 8,000 Catholic.*
- **Unregistration:** the “problem” of unregistered religious groups was addressed in the Regulations on Religious Affairs in 2018. Citizens who participate in “unsanctioned” religious activity will be subject to criminal and administrative penalties. Any income from unsanctioned religious activity, including unsanctioned places of worship, will be confiscated and fines will be imposed. Property owners renting to unregistered religious groups will see their properties and income confiscated as well as fines levied against them.

- **Exemptions:** SARA states, in a policy posted on its website, that family and friends have the right to meet at home for worship, including prayer and Bible study, without registering with the government. A provision states, however, that religious organisations should report the establishment of a religious site to the government for approval.
- **BBO/FBO registration:** belief-based/faith-based charities must register with the government before conducting any operations. Applicant charities must also affiliate with one of the five state-sanctioned patriotic religious associations. Unregistered faith-based charities are not allowed to raise funds publicly, hire employees, open bank accounts, or own property.
 - **BBO/FBO registration benefits:** to raise funds publicly and to receive tax benefits.
 - **Cosponsorship:** *the government requires faith-based charities to obtain official cosponsorship of their registration application by the local official religious affairs bureau.*
- **Reiterations:** the 2019 Administrative Measures for Religious Groups which came into effect on 1st February 2020 reiterate that only registered religious groups may operate legally.
 - **Support for the CCP:** to become legal, religious groups must expressly support the leadership of the CCP, adhere to the direction of Sinicisation of religions in China, and implement the values of socialism. Article 17 states religious groups shall “follow the path of socialism with Chinese characteristics, abide by laws, regulations, rules, and policies, correctly handle the relationship between national law and canon, and enhance national awareness, awareness of the rule of law, and citizenship.”
 - *Religious organisations should publicise the guidelines and policies of the Communist Party of China, national laws, regulations, and rules to the clergy and religious citizens, in order to instruct and direct the clergy and religious citizens to support the rule of the Communist Party of China, support the socialist system, follow the path of socialism with Chinese characteristics, abide by*

the laws, regulations, rules and policies, correctly treat the relationship between state laws and religious rules, and strengthen their national consciousness, consciousness of rule by law, and consciousness of one's duty as a citizen.

- *Religious organisations should conduct research on religious cultures and religious classics, carry out the construction of religious ideology, and dig deep into doctrines and canons for useful content for maintaining social harmony, advancing with the times, and being healthy and cultured. They should provide interpretations for doctrines and canons that meet the requirements of the development and progress of modern China, and in accordance with the glorious traditional Chinese culture.*
- *Adaption to the socialist society is mentioned as a narrative tool in these 2019 regulations.*
- *A narrative tool that combines patriotism with religiosity, making the two inextricable.*
- *A religious organisation can be recognised as such only when it has been examined and approved by the religious affairs department of the people's government, and register with the civil affairs department of the people's government, in accordance with the national regulations on the administration of social organisations, and on religious affairs. Without the approval of the religious affairs department of the people's government, or registration with the civil affairs department of the people's government, no religious activities in the name of religious organisations are allowed.*
- *Religious organisations must embody the core values of socialism, and maintain national unity, ethnic unity, religious harmony and social stability.*
- **Role of the UFWD:** *(1) to review the application to establish, reform, or unregister a religious organisation, to review the conducts of a religious organisation before approving its charters, to review the annual work reports of religious organisations, and to join with other government departments to direct the unregistering and liquidation process of religious organisations; (2) to supervise and direct religious organisations to carry out activities and*

perform their duties according to laws and regulations, and to handle according to law religious organisations which have violated laws, regulations, rules, policies and their own charters; (3) to examine, supervise and administrate in accordance with law applications from religious organisations to the religious affairs department of the people's government; (4) to supervise and direct religious organisations to establish and improve their charters and rules, strengthen their ideological construction, team building, work ethics and institutional rules, in accordance with the constitution, laws, regulations, rules, policies, and actual work needs; (5) to direct and manage other matters as required by laws and regulations.

- **Reporting obligations of religious organisations:** (1) matters that should be reviewed by the administrative unit as stipulated by laws and regulations; (2) personnel change of the president (chair, director), vice president (vice chair, deputy director), secretary-general (assistant director-general), structural change of an office, personnel change of the head of the office, and naming a honorary president (chair, director); (3) holding important meetings, activities, trainings and international communications; (4) activities that name the religious affairs department of the people's government as the supporting unit or sponsor; (5) receiving donations of religious books or audio/visual products, or donations over 100,000 yuan from overseas organisations or individuals; (6) other matters that should be reported to the administrative unit for review.

- **Reportage in writing:** religious organisations should report the following matters in writing to the administrative unit for review and approval: (1) work projects, annual work plans, and annual summary reports; (2) large financial expenditures, major asset disposal, and major construction projects; (3) establishing sub-organisations, representative offices, social organisations, and economic entities; (4) accidents resulting in personal injury or property damage; (5) conflicts and disputes within the organisation or with other parties, causing disruption to daily work; (6) major violations of laws and regulations; (7) other matters that

should be reported to the administrative unit. In extreme circumstances, if a written report cannot be filed beforehand, the religious organisation involved should submit a written report to its administrative unit during or after the event.

- *Religious organisations should create work projects and annual work plans, clarify their long-term and short-term tasks, and ensure that the projects and plans are accomplished.*
- *Religious organisations should establish a system of job reporting and democratic evaluation for the president (chair, director), vice president (vice chair, deputy director), and secretary general (assistant director-general).*
- *Religious organisations should establish a system for learning, and organise their staff to learn about the major decisions of the Communist Party of China, national policies and regulations, the glorious traditional Chinese culture, and knowledge about religion.*

- Evaluations

- The Chinese government's imposition of a mandatory registration policy is impermissible to RoRB standards.
- The precedent that the Chinese government has set over its most recent assaults on religion and belief in the country demonstrate that the information requested as part of registration procedures will certainly be used against groups later to control their activities; the imposition of excessive informational requirements is impermissible to RoRB standards as is the misuse of such requirements.
- The systematic misuse of recognition to the extent of violence is evident throughout the Chinese system; the Chinese recognition system is purpose-built to control religious activity throughout the control.
- The weaponisation of terms and the creation of narratives to oust unfavoured religious groups is another tactic of the regime's leadership through the misuse of recognition.
- Registration procedures are made unbearably onerous and policies are put in place to try to "catch out" groups that do

not completely obey which is then used as the grounds for their deregistration.

Law and policy on religion and belief

- Self-identification
- **Censorship:** the CCP is known to manipulate religious doctrine according to party priorities.
- **Sinicisation:** *on January 18, the SARA issued new regulations, effective May 1, entitled “Administrative Measures for Religious Clergy.” The regulations require all clergy to pledge allegiance to the CCP and socialism and to create a database of “religious personnel” to track their performance. Article 3 of the regulations states religious clergy “should love the motherland, support the leadership of the Chinese Communist Party, support the socialist system, abide by the constitution, laws, regulations, and rules, practice the core values of socialism, adhere to the principle of independent and self-administered religion in China, adhere to the direction of the Sinicisation of religion in China, and operate to maintain national unity, religious harmony, and social stability.” Article 6 states, in part, clergy should “resist illegal religious activities and religious extremist ideology, and resist infiltration by foreign forces using religion.” The regulations also provide that “entrance to religious places of worship should be regulated through strict gatekeeping, verification of identity, and registration.” The regulations also stipulate that authorities will hold religious organizations and institutions responsible for the behavior of individual religious clergy. Article 7 stipulates religious staff should “focus on improving their own quality, improving their cultural and moral literacy, studying the contents of doctrines and regulations that are conducive to social harmony, progress of the times, and health and civilization, and integrate them into preaching, and play a role in promoting the Sinicisation of religion in our country.”*
- **Limitations:** the CCP places limits on the number of new monastics or priests.

- **Religious adherence:** *authorities require CCP members and members of the armed forces to be atheists and forbid them from engaging in religious practices. Members found to belong to religious organizations are subject to expulsion, although these rules are not universally enforced. The vast majority of public office holders are CCP members, and membership is widely considered a prerequisite for success in a government career. These restrictions on religious belief and practice also apply to retired CCP members.*
- **Vetting practices:** the CCP is known to vet religious leaders for their political reliability regarding whether they show loyalty to the CCP other a foreign body or leader.
- Communal activity
 - **Charitable work:** registered religious groups may conduct works of charity but are not allowed to proselytise during their conduct of charitable activities.
 - **Education:** only groups within the five state-sanctioned patriotic religious associations are legally allowed to build and operate religious schools. Implementation of rules varies greatly across and within regions.
 - **Ban on child religiosity:** children under the age of 18 are prohibited from participating in religious activities and from receiving religious instruction and education, even in schools run by registered religious groups. Enforcement and implementation of these rules varied widely across and within regions. This is a clear violation of the UNCRC.
 - **Regulations in Xinjiang:** “Minors shall not participate in religious activities. No organisation or individual may organise, induce or force minors to participate in religious activities.” Minors are also prohibited from entering religious venues.
 - **Hindrance of national education narrative tool:** one regulation states that no individual may use religion to hinder the national education system and that no religious activities may be held in schools.

- **Teaching of atheism:** the law mandates the teaching of atheism in schools, and a CCP directive provides guidance to universities on how to prevent foreign proselytising of university students.
- **Role of parents:** multiple provinces send letters instructing parents that “teachers and parents should strictly enforce the principle of separation between education and religion and ensure that minors are not allowed to enter religious places, participate in religious activities, or to attend religious trainings.”
- **Foreign funding:** *media reported that throughout the year, crackdowns on some churches with foreign ties intensified significantly throughout the country. Many religious groups, including groups connected to the five “patriotic religious associations,” faced comprehensive investigations that included checking their background, organisational setting, membership, online evangelism, and finances. On April 3, International Christian Concern reported that the Ministry of Civil Affairs (MCA) planned to intensify efforts to shut down social organizations, private non-enterprise units, and foundations that were not registered with relevant authorities. Organizations that had their registration revoked but nevertheless continued with their activities would also be targeted, the ministry said. According to RFA, “The MCA’s latest campaign has already begun in some provinces, such as Sichuan. The Department of Civil Affairs in Sichuan published a list of 84 ‘Illegal Social Organizations’ on March 25 which contain[ed] several Buddhist and Christian groups, including the heavily persecuted house church Early Rain Covenant Church.*
- **Hierony:** the importation of religious materials or devotional items into China for personal use is permitted but for propagational use, items may either be restricted or completely prohibited. Attempted imports of religious materials by unrecognised religions may be denied and those by banned groups (e.g. Falun Gong) will be seized. Imported items of a religious nature are likely to require preapproval by

the government both for personal and propagational use before being allowed entry into the country.

- The law prohibits “printed matter, films, photos, records, audio and video tapes, VCDs, computer storage media and other commodities which are harmful to China's politics, economy, culture and/or ethics”. Also “any item which is harmful to China's politics, economy, culture/morals” is prohibited from importation which is likely to include religious literature.
- Importers should be aware that items marked “Made in ROC” in reference to Taiwan as the Republic of China are prohibited although labels marked “Made in Taiwan” are acceptable.
- **Organisation:** the ways in which religious groups may organise themselves is severely restricted in China to government-prescribed pathways.
- **Property:** no religious structure, including clergy housing, may be transferred, mortgaged, or utilised as investments. Regulations on property broadly stipulate that property and income from religious groups, schools and related venues must “not be distributed” and should only be used for activities “befitting their purposes.” Any individual or organisation that donates funds to build religious venues is prohibited from owning the venues.
- **Foreign donations:** authorities must decide how all foreign donations are used in domestic religious groups, down to the details of specific churches and religious sites. Donations from foreign entities or individuals to religious groups, schools or other religious sites with attached conditions of how the donations should be used are banned. Any donations exceeding RMB 100,000 (\$15,300) must be submitted to the local government bureau for review and approval.
- **Instructions on organisational structure:** *the congress of representatives is the supreme power structure of religious organisations. The council (committee) is the executive body for the congress of representative, and answer to the latter. A religious organisation with large numbers of members may establish an executive council (standing committee), who*

answer to the council (committee). In a religious organisation, the congress of representatives, the council (committee) and the executive council (standing committee) should meet regularly in accordance with the national regulations on the administration of social organisations, and their own charters, to make decisions and perform their duties. The president (chair, director) shall not concurrently serve as president (chair, director) of other social organisations, including religious organisations, except for when the religious organisation for which he/she serves as president (chair, director) shares the same administrative office with another organisation. The president (chair, director) should be a mainland resident, citizen of the People's Republic of China, and preferably under 70 years of age. The president (chair, director) serves for a term of five years, and can be elected to serve a second term. The president (chair, director) should be stationed full time at the office of the organisation. In extreme circumstances, if the president (chair, director) is unable to do so, the executive vice president (executive vice chair, executive deputy director) should be held responsible for the daily work of the organisation. At least one of the vice presidents (vice chairs, deputy directors) should be stationed full time at the office of the organisation. The establishment of sub-organisations and representative offices of religious organisations shall conform to the professional purposes and scope stipulated in their own charters and be approved after discussion by the council (committee) or the executive council (standing committee). The sub-organisations can be called branches, professional committees, working committees, etc. Representative offices can be called representative agencies, business offices and liaison offices. Sub-organisations and representative offices are not entitled to the status of legal persons and are not allowed to make separate charters. They shall not be named after any legal person organisations. Words such as "China" "Chinese" "national" and "state" cannot appear in their names. They must use the full name of the parent religious organisation when they conduct activities. Religious organisations may not establish regional sub-organisations, nor may they establish sub-organisations or representative offices under existent sub-

organisations or representative offices.¹¹ This violates RoRB standards because governments should not be able to dictate to religions how they structure themselves.

- **Pilgrimage and travelling for religious purposes:** *the Regulations on Religious Affairs require members of religious groups to seek approval to travel abroad for “religious training, conferences, pilgrimages, and other activities.” Anyone found organising such activities without approval may be fined between RMB 20,000 and 200,000 (\$3,100-\$31,400). Illegally obtained income connected to such travel may be seized and, “if the case constitutes a crime, criminal responsibility shall be investigated according to law.”*
- **Proselytism:** *there is no definition of proselytising given in Chinese law. The constitution states that no state unit, social organisation, or individual may force a citizen to believe or not believe in a religion. Offenders are subject to administrative and criminal penalties.*
- **Social media’s use for disseminating religion:** *according to the Economist, many house churches held services online and there were numerous Bible study groups and church forums on WeChat. Some unauthorised seminaries and missionary training schools moved online. One pastor said some online congregations were 50 percent larger than in-person meetings. However, in March, OpenDoorsUSA reported officials monitored online activities and “even officially registered churches were ordered to stop online services.” ChinaChristianDaily reported the government blocked many registered churches’ WeChat accounts during a crackdown on online Christian content. The banned accounts were managed by TSPM-approved churches in Beijing, Shanghai, Chongqing, Jiangsu, Zhejiang, Guangdong, Heilongjiang, Jilin, and Yunnan Provinces. The Shanghai Pure Heart Church, Huai’an Church of Jiangsu Province, and Nanjing Holy Word Church of Jiangsu Province were among the*

¹¹ all regulations from the 2019 Administrative Measures for Religious Groups.

churches whose official WeChat accounts that authorities blocked. “Today’s Nanjing Union Life,” the WeChat page of Nanjing Union Theological Seminary, the only national Protestant seminary in the country, was inaccessible from May to the end of the year. ChinaChristianDaily further reported that WeChat censored the words “Christ,” “gospel,” and “fellowship.” ChinaAid also reported that authorities blocked key words related to Christianity from search engines.

- **Religious literature:** the publication and distribution of literature containing religious content must follow guidelines set out by the State Publishing Administration.
 - *Authorities continued to restrict the printing and distribution of the Bible, the Quran, and other religious texts. The government continued to allow some foreign educational institutions to provide religious materials in Chinese, which were used by both registered and unregistered religious groups. During the year, however, many provinces conducted campaigns cracking down on “illegal religious publications” emanating from unofficial distribution channels.*
- **Dissemination of religious information:** online activities (“online religious information services”) of religious groups require prior approval from the provincial religious affairs bureau.
 - *Religious organisations that provide internet religious information services should improve their administrative system and abide by the regulations on internet religious information services.*
- **Places of worship:** a registered religious organisation must receive approval from the local government bureau, specifically its religious affairs department if it has one, during the proposal period of the intended place of worship and also once the building has been constructed before services begin.
 - **Informational requirements:** *religious organisations must submit dozens of documents to register during these approval processes, including detailed management plans of their*

religious activities, exhaustive financial records, and personal information on all staff members.

- **Unregistered groups:** groups not going through the formal registration process may not legally have a set facility or worship meeting space. Therefore, every time such groups want to reserve a space for worship, such as by renting a hotel room or an apartment, they must seek a separate approval from government authorities for that specific service. Worshipping in a space without prior approval, gained either through the formal registration process or by seeking an approval for each service, is considered an illegal religious activity and is subject to criminal or administrative penalties.
- **Zoning laws and demolitions of places of worship:** *by regulation, if a religious structure is to be demolished or relocated because of city planning or the construction of “key” projects, the party responsible for demolishing the structure must consult with its local bureau of religious affairs (guided by UFWD) and the religious group using the structure. If all parties agree to the demolition, the party conducting the demolition must agree to rebuild the structure or to provide compensation equal to its appraised market value.* The online magazine *Bitter Winter* reported the destruction of hundreds of Buddhist and folk temples across rural China, including in Sichuan, Hebei, Henan, Zhejiang and Fujian Provinces.
- **Religious prohibitions:** *the law bans certain religious or spiritual groups. Criminal law defines banned groups as “cult [xie jiao, literally ‘heterodox teachings’] organizations” and provides for criminal prosecution of individuals belonging to such groups and punishment of up to life in prison. There are no published criteria for determining, or procedures for challenging, such a designation. A national security law also explicitly bans cult organizations. The CCP maintains an extralegal, party-run security apparatus to eliminate the Falun Gong movement and other organizations. The government considers Falun Gong an “illegal organization.” The government continues to ban the Guanyin Method religious group (Guanyin Famen or the Way of the Goddess of Mercy) and Zhong Gong (a*

qigong exercise discipline). The government also characterises a number of Christian groups as “cult organizations,” including the Shouters, CAG (also known as Eastern Lightning), Society of Disciples (Mentu Hui), Full Scope Church (Quan Fanwei Jiaohui), Spirit Sect, New Testament Church, Three Grades of Servants (San Ban Puren), Association of Disciples, Established King Church, Family Federation for World Peace and Unification (Unification Church), Family of Love, and South China Church.

- **Training of clergy members:** *individuals seeking to enrol at an official seminary or other institution of religious learning continued to be required to obtain the support of the corresponding state- sanctioned religious association. The government continued to require students to demonstrate “political reliability,” and political issues were included in examinations of graduates from religious schools. Both registered and unregistered religious groups reported a shortage of trained clergy, due in part to government controls on admission to seminaries.*
- Penal code
 - The law does not allow legal action to be taken against the government based on the religious freedom protections afforded by the constitution.
 - Criminal law allows the state to sentence government officials to up to two years in prison if they violate a citizen’s religious freedom.
 - Citizens found to be members in banned religious or spiritual groups will be subjected to criminal prosecution leading to punishments of up to life in prison. There are no published criteria for determining or procedures for challenging such a ruling.
 - **Failure to comply:** *In the case of religious organisations that have a problematic administration or fail to perform duties in accordance with their own charter, the religious affairs department of the people’s government should speak to its president (chair, director). The latter will be publicly criticized and given a deadline for rectification, etc., if there are gross misconducts.*

- **Pilgrimage and travelling for religious purposes:** any citizen found organising activities such as pilgrimages and conferences without prior approval from the state will be fined between RMB 20,000 and 200,000 (\$3,100 and \$30,600). It is unclear whether these fines will be imposed on those who attend such activities but it is likely they are. Income derived from such activities will also be seized and depending on the scale of the violation, the state reserves the right to open a criminal case which will be “investigated according to law.”
- **Unregistration:** strict restrictions are placed on unregistered religious groups often leading to fines or imprisonment if found to be in violation of these laws.
 - **Income and property:** any income made or properties owned by unregistered religious groups will be confiscated and owners fined between one to three times the value of the illegal income or properties. If the illegal income or properties cannot be identified, a baseline fine of less than 50,000 renminbi (RMB) (\$7,600) will be imposed.
 - **Renting to unregistered groups:** property owners who rent space to unregistered religious groups will have their properties and incomes confiscated and fines will be levied against them between RMB 20,000 and 200,000 (\$3,100 and \$30,600).
 - **Fines for unregistration:** *on July 20, ChinaAid reported that the Xiamen City religious affairs bureau fined Pastor Yang Xibo of Xingguang Church, an unregistered church in Xiamen City, Fujian Province, and his wife RMB 200,000 (\$31,400) for organising an “illegal religious activity.” According to RFA, several dozen state security police and officials from the local religious affairs bureau raided worship services at the church in April and May 2020. Yang told RFA the congregation was targeted for refusing to join the state-sanctioned TSPM.*
 - **Unsanctioned groups:** *the government continued to close down or hinder the activities of religious groups not affiliated with the state-sanctioned religious associations, including unregistered Protestants, Catholics, Muslims, and other*

groups. At times, authorities said they shuttered a group because the group or its activities were unregistered; at other times, because the place of worship lacked necessary permits. Some local governments continued to restrict the growth of unregistered Protestant church networks and cross-congregational affiliations. Authorities allowed some unregistered groups to operate but did not recognize them legally. In some cases, authorities required unregistered religious groups to disband, leaving congregants from these groups with the sole option of attending services under a state-sanctioned religious leader.

- **Weaponisation of terrorism:** the country's Counterterrorism Law sees "religious extremism" as coming the basis of terrorism; it uses "distorted religious teachings or other means to incite hatred or discrimination, or advocate violence." In and of itself this statement is acceptable but it is severely misused by the CCP to ban many forms of religious activity, including vast amounts of peaceful non-extremist religious activity.
- **Misuse of national security narrative tool:** a national security law also explicitly bans "cult organisations." *The regulations require that religious activity "must not harm national security" or support "religious extremism." The regulations do not define "extremism." Penalties for "harm to national security" may include suspending groups and canceling the credentials of clergy.*
- **Provincialisation of regulations:** national laws allow each provincial government administration to issue their own regulations concerning religious affairs, including penalties for violations. Many provinces updated their regulations after the national 2018 regulations came into effect.
- **Prohibitions:** the Chinese government bans Falun Gong, the Guanyin Method and Zhong Gong. Several Christian new

religious movements¹² have been designated “cults” by the government.

- **Religious attire:** criminalisation of the act of forcing others to wear “extremist” garments or symbols, doing so being punishable by up to three years’ imprisonment. This is according to a judicial interpretation by the Supreme People’s Procuratorate and the Supreme People’s Court of an amendment to the criminal law in 2016. Punishments include up to three years’ imprisonment, short-term detention or controlled release, and a concurrent fine. Neither the amendment nor the judicial interpretation defines what garments or symbols the law considers “extremist”, however, it is clear that the law is targeted towards the Muslim headdresses of their various types.
- **Publication of religious texts:** publishing religious texts without prior authorisation, whether part of one of the five recognised religions or not, will see the texts confiscated and publishing houses closed down by the government.
- Facilitation of religion or belief
- **Ombudsmanship:** there is currently no ombudsman office established in China to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **General:** the ability of believers to practice their faith varies dramatically based on religious affiliation, location, and registration status. *Many do not necessarily feel constrained, particularly if they are Chinese Buddhists or Taoists. However, at*

¹² including the Shouters, The Church of the Almighty God (CAG, also known as Eastern Lightning), Society of Disciples (Mentu Hui), Full Scope Church (Quan Fanwei Jiaohui), Spirit Sect, New Testament Church, Three Grades of Servants (San Ban Puren), Association of Disciples, Established King Church, the Family Federation for World Peace and Unification (Unification Church), Family of Love, and South China Church.

least 100 million believers belong to groups facing high or very high levels of religious persecution, namely Protestant Christians, Tibetan Buddhists, Uighur Muslims, and Falun Gong practitioners.

- **Christians:** various new Christian movements have been designated “cults” and banned by the government, their members harassed, arrested and imprisoned.
 - **Protestants:** *persecution of unofficial Protestant groups also continued during the year. The police broke up the Easter Sunday service of the unregistered Early Rain Covenant Church in Chengdu, Sichuan Province, which was being held online due to the coronavirus. The service was shut down, and eight members were detained in raids on their homes. The church’s pastor, Wang Yi, had been sentenced in 2019 to nine years in prison on charges of “inciting subversion of state power.”*
 - **Catholics:** *the Vatican and the Chinese government in October 2020 confirmed a two-year extension of their 2018 agreement on the selection of Roman Catholic bishops. The unpublished agreement reportedly allows the government to nominate bishops and the Vatican to exercise a veto. The status of some existing bishops recognised by the Vatican but not by the government remained unclear. Clergy who lack state recognition have complained of intimidation and pressure to sign registration forms.*
- **Falun Gong practitioners:** the CCP runs an extralegal apparatus with nefarious intention to eliminate the Falun Gong movement and other unfavoured religious or spiritual organisations. Falun Gong is regarded as an “illegal organisation” by the Chinese government. *The regime’s campaign to eradicate the Falun Gong spiritual group continued in 2020. Hundreds of Falun Gong practitioners have received long prison terms in recent years, and many others are arbitrarily detained in various “legal education” facilities. Detainees typically face torture aimed at forcing them to abandon their beliefs, sometimes resulting in deaths in custody.*
- **Guanyin Method practitioners** (a.k.a. Guanyin Famen or the Way of the Goddess of Mercy): the Chinese government has banned its citizens from participating this practice or being a member of this group.

- **Muslims:** *in Xinjiang, intrusive restrictions on the practice of Islam affect the wearing of religious attire, attendance at mosques, fasting during Ramadan, choice of baby names, and other basic forms of religious expression. Many categories of individuals are barred from certain activities; for example, children under 18 cannot enter mosques or receive religious instruction. In 2020, authorities in the region reportedly prohibited recipients of state benefits from performing daily prayers. Peaceful religious practices are routinely punished under charges of “religious extremism,” resulting in detention, prison sentences, and indoctrination for many Uighur, Kazakh, and Hui Muslims.*
- **Zhong Gong practitioners** (a qigong exercise discipline): the Chinese government has banned its citizens from participating in this practice or being a member of this group.

Overview

- State atheism is implemented.
- The government recognises Buddhism, Catholicism, Islam, Protestantism and Taoism.
- The Chinese system differentiates between recognition and registration; there exists no practicable procedures for achieving the former as existential recognition is bestowed through the constitution.
- The restrictions, expectations, retributions in breaking these, and the extent to which these are applied across the whole population of 1.4 billion people is unprecedented.
- The CCP has established a sophisticated, multifaceted apparatus for terminally restricting all dimensions of the religious, spiritual and philosophical aspects of the lives of the Chinese people.
- Many of the laws, policies and actions established and conducted by the CCP are fairly unique relative to how other governments approach religious freedom.
- The broad subjective terminology of Chinese legislation on religious activity gives the government ample scope to restrict to various degrees and in various ways the religious lives of citizens which the CCP takes full advantage of.

- The Chinese system breaks numerous religious freedom principles and standards, including the majority of Durham principles as well as the Bielefeldt provision.
- The country is not a party to the International Covenant on Civil and Political Rights (ICCPR).
- Sinicisation is the multidimensional process orchestrated by the CCP of approximating minority cultures within the borders of the People's Republic to conform to its Communist conception of Chinese culture.
- There is an ongoing genocide taking place against the Uighur Muslims of Xinjiang Province that is being perpetuated by this process of Sinicisation; forced deconversion, forced relocation, internment into labour camps, imprisonments, fines, forced sterilisation, torture, demolitions of sacred sites, and
- The Tibet Autonomous Region has also found itself at the mercy of the CCP's apparatus of repression for decades; all forms of Buddhist practice are controlled by the CCP.

Positive elements

- Nil.

Recommendations

- The full dismantlement of the present apparatus of restrictions on religious activity achieved via recognition and registration must take place.
- Dismantlement must entail the abolition of all laws that restrict basic religious activity or otherwise perpetuate violations of freedom of religion or belief.
- Reinstitution must take place so that laws regarding religious freedom can be rewritten in a way that is inclusive of all groups, namely discontinuing the practice of state definition of religion.
- Abolish current policies of confinement, constriction, excessive informational requirements, mandatory registration order, preapproval, purposive localisation, state theology, and the other key restriction tools utilised by the Chinese Communist Party to maintain control of the religious lives of citizens of the PRC.

Restriction tools implemented

- A long series of minorities and “non-traditional” movements have been banned with their members harassed, fined or imprisoned by CCP; particularly targeted has been the Falun Gong movement.
- A series of retributions exist for breaking or otherwise contravene Chinese law on religious activity from harsh fines to up to life imprisonment; torture and hard labour have also been reported as punishments.
- Censorship by the CCP of religious materials, including their importation and distribution, is extensive and often changes much of the terminology of materials to conform to CCP uniformity; this includes censorship of all digital activity of religious organisations.
- Existential recognition of five belief system does not correspond to freedom practice of those systems.
- False claim to freedom of religion or belief.
- Forced deconversion or profession of atheism among government officials and members of the military during one’s career and in retirement.
- Those under the age of eighteen are prohibited from participating in religious practice or from receiving religious education.
- Mandatory registration for religious groups.
- Recognition as a powerful mechanism is widely abused by the CCP with severe effect on citizens.
- State atheism.
- State definition of religion are used to justify government actions.
- The politicisation of religious freedom.
- Vast subjectivity exists in the Chinese legislation on religion which provides the CCP with extensive means of restricting all forms of religious activity.
- The process of Sinicisation is in effect.
- Weaponisation of terms like cult, extremism, terrorism and fundamentalism against otherwise innocent groups is widespread
- Zoning laws are used against religious groups to effectively desecrate and demolish shrines.

History of RoRB classification

- China has been classified Terminal in the SRR since the first iteration of the RoRB Index in 2021.

Colombia, Republic of — Restrictive

RoRB and national identity

- The Constitution of Colombia makes an explicit claim to freedom of religion or belief, a right the government generally upholds in practice though with some infractions.
- The Republic of Colombia is a secular state.
- The law says the state “is not atheist or agnostic, nor indifferent to Colombians’ religious sentiment.”
- The Constitution states all religions and churches are equal before the law. The law prohibits any official government reference to a religious affiliation for the country.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** a concordat between the Holy See and the government, recognised and enforced by law, recognises marriages performed by the Catholic Church, allows the Church to provide chaplaincy services, and exempts members of the Catholic clergy from compulsory public service, including military service.
 - Although a court ruling states that these provisions are constitutional as long as they apply to all religious groups, the legal framework is not in place to extend them to all religious groups.
- Evaluations

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the Colombian government does not mandate that religious groups register with it, the fact that unregistered religious groups are not allowed to engage in fundraising, which is classified as a “basic religious activity” in RoRB standards, the registration policy in Colombia is classified pseudo-mandatory as a result.

- **Procedure:** a formal request for registration must be sent to the Ministry of Interior (MOI). The MOI provides a free, web-based registration process for religious and faith-based organisations seeking recognition.
 - **Role of the MOI:** the MOI is responsible for formally recognizing churches, religious denominations, religious federations and confederations, and associations of religious ministers, as well as keeping a public registry of religious entities.
- **Conferral:** entities formally recognised by the MOI may confer this recognition, called “extended public recognition,” to affiliated groups sharing the same beliefs.
- **Informational requirements:** basic organisational information, including copies of the organisation’s constitution and an estimate of the number of members.
- **Qualifications:** the government considers a religious group’s total membership, its “degree of acceptance within society,” and other factors, such as the organisation’s statutes and its required behavioural norms, when deciding whether to grant it formal recognition.
- **Registration benefits:** collect funds and receive donations, establish religious education institutions, and perform religious services, excluding marriages.
- **Denial of registration:** the MOI is authorized to reject requests that are incomplete or do not fully comply with established requirements.
- **Unregistration:** unregistered entities may perform religious activities without penalty but may not collect funds or receive donations.
- **Registration rate:** *the MOI reported there were 9,032 formally recognized religious organizations in the country at the end of the year, compared with 8,214 at the end of 2020. It received 723 applications for formal recognition of religious organizations, compared with 393 in 2020; approved 595, compared with 343 in 2020; and deferred or denied 15, compared with 12 in 2020. The MOI stated that the reason it deferred and denied petitions was because the applying entity failed to meet the legal requirements and/or because it failed to provide missing information during the year. The MOI stated it continued to review the remaining applications.*

According to the MOI, 99.4 percent of the applications were from evangelical Christian churches and the rest were from Muslim and Jewish entities. The MOI continued to give applicants who submitted incomplete applications or incorrect supporting documents 30 days to bring their applications into compliance. If the MOI deemed an application incomplete, it could deny the application; however, the applying organization could resubmit an application at any time, and the MOI indicated there was no waiting period to reapply.

- Evaluations
 - The imposition of a pseudo-mandatory registration policy in Colombia is impermissible to RoRB standards.
 - The inability for unregistered religious groups to collect funds or receive donations without first registering with the state is impermissible to RoRB standards.
 - Performing marriages and religious education or collecting funds and receiving donations should not be used as registration benefits which is impermissible to RoRB standards.
 - The stated necessary qualifications for registered status are impermissible to RoRB standards, namely as a means to impose an informal membership quota onto religious groups.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Colombia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Colombia is permitted without restriction, both for personal and propagational use.

- **Marital law:** the state recognises as legally binding marriages performed by the Catholic Church, the Jewish community, and 13 non-Catholic Christian denominations that are signatories to a 1997 public law agreement.
- **Missionary activity:** *foreign missionaries must possess a special visa, valid for up to two years. The MFA issues visas to foreign missionaries and religious group administrators who are members of religious organisations officially recognised and registered with the MOI. When applying for a visa, foreign missionaries must have a certificate from either the MOI or church authorities confirming registration of their religious group with the MFA. Alternatively, they may produce a certificate issued by a registered religious group confirming the applicant's membership and mission in the country. The visa application also requires a letter issued by a legal representative of the religious group stating the organisation accepts full financial responsibility for the expenses of the applicant and family, including funds for return to their country of origin or last country of residence. Applicants must explain the purpose of the proposed sojourn and provide proof of economic means. A Constitutional Court ruling stipulates that no group may impose religious conversion on members of indigenous communities.*
- **Pastoral activity:** *the agreement authorises these religious groups to engage in activities such as marriages, funeral services, and spiritual assistance in prisons, hospitals, military facilities, and educational institutions. Under this agreement, members of religious groups that are neither signatories to the agreement nor affiliated with signatories must marry in a civil ceremony for the state to recognize the marriage. Religious groups not signatories to the 1997 public law may not provide chaplaincy services or conduct state-recognised marriages.*
- **Spiritual cleansing activities:** *ayahuasca, or yage, is a traditional plant used in 'spiritual cleansing' ceremonies by indigenous communities in Colombia, primarily in Putamayo and the Amazon region. The yage ceremony typically involves the consumption of a brew containing dimethyltryptamine*

(DMT), a hallucinogenic drug. Consumption of this brew is not regulated and its interaction with existing medical conditions is not well understood. People have suffered serious side-effects and in some cases death after participating in these ceremonies. Spiritual cleansing or yage retreats are usually some distance from populated areas making it difficult to access medical attention for those who need it.

- **Taxation law:** *according to the law, all associations, foundations, and corporations declared as nonprofit organisations, including foundations supported by churches or religious organisations recognised by the MOI, must pay taxes. Churches and religious organisations recognised by the MOI are tax-exempt, but they must report their incomes and expenses to the National Tax and Customs Authority. According to a Constitutional Court ruling, the state may not seize the assets of non-Catholic churches in legal proceedings if the church meets the requirements for formal government recognition.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Colombia's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** *the People's Defender within the Ombudsman's Office of Colombia is the ombudsman for Colombia responsible for overseeing civil and human rights in the country and for investigating claims of violations of these rights.*
 - **Training by the DRA:** *the DRA took steps to implement an international cooperation agreement with the UNDP signed in 2020 to study the religious community and gather relevant information regarding the characteristics, needs, challenges, and contributions of religious groups. The goal was to implement public policies on religious freedom in a more detailed way and articulate actions between the religious community and the public sector to achieve common objectives.*

During the year, the study involved the departments of Bolivar, Norte de Santander, Risaralda, and Valle del Cauca. The project conducted 1,436 surveys that examined social, cultural, educational, coexistence, and peace and reconciliation elements. According to the survey data, the religious community assisted vulnerable populations such as victims of conflict, women, the elderly, children, adolescents, and migrants. The agreement with the UNDP also supported the training of religious community employees and public officials to focus on respect for religious freedom and empowering religious groups in the exercise of their rights. By year's end, 2,000 persons had taken the training.

Social dimensions of RoRB

- **Indigenous groups:** a 1998 Constitutional Court ruling upholds the right of traditional authorities to enforce the observation of and participation in traditional religious beliefs and practices on indigenous reserves. Subsequent rulings refer to the 1998 decision to reaffirm the right of indigenous governors to prohibit the practice of certain religions on indigenous reserves.

Overview

- Recognition and registration are loosely amalgamated rather than ideally differentiated.
- Some of the informational and characteristic requirements of an applicant entity are inappropriate and do not correspond to religious freedom standards, namely the consideration of membership size in the process of recognition; however, Colombia retains its receptive classification because these requirements seem to only be loosely applied.

Positive elements

- The provision of an web-based registration process is fairly unique to Colombia and demonstrates its closeness to dynamism.

- There are provisions in place for making distinctions between the recognition of churches, denominations, federations, confederations and associations of ministers.

Recommendations

- Reverse bans on unregistered religious groups be able to legally collect and receive donations due to this being classified as a basic religious activity.
- Resolve some of the minor issues with borderline excessive informational requirements.
- In order to be classified Dynamic, establish greater differentiations between existential recognition and legal registration and establish a recognition agency that works independently of the government.

Restriction tools implemented

- Inappropriate though not intrusive informational requirements.
- Stipulatory registration.

History of RoRB classification

- In the first iteration of the RoRB Index in 2021, Colombia was classified Receptive but due to the identification of its registration procedure as pseudo-mandatory, Colombia has been reclassified to Restrictive status for the second iteration of the RoRB in 2022; other reasons include the implementation of an informal membership quota as part of registration procedures.

Comoros, Union of the — Terminal

RoRB and national identity

- The Constitution of the Comoros makes no claim to freedom of religion or belief and the government systematically infracts upon this right in practice.
- The Constitution of the Comoros establishes Sunni Islam as the state denomination since 2018; before, Islam was the state religion¹³.
- The Constitution states that citizens shall draw principles and rules to regulate worship and social life from the Shafi'i school of Sunni Islam.
- The preamble “affirms the will of the Comorian people” to cultivate a national identity based on a single religion, Sunni Islam.
- It proclaims equality of rights and obligations for all individuals regardless of religion or belief although these rights and obligations are not upheld in practice.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Sunni Islam in the Comoros.
- Evaluations
 - The lack of existential recognition in the Comoros for any denomination other than Sunni Islam is a demonstration of the unbalanced and misused recognition system.

Registration law

¹³ some observers suggested the change reflected Azali's efforts to bring Comoros closer to Saudi Arabia and to counter the influence of former president Sambi, who is seen as close to Iran.

- Structures and procedures of legal registration
 - **Non-registration:** there are no registration procedures outlined by the government.
- Evaluations
 - A policy of non-registration is impermissible to RoRB standards and constitutes a severe misuse of recognition and registration.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in the Comoros as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign religious activity:** foreigners are permitted to worship at three Christian churches in Moroni, Mutsamudu, and Moheli, and foreign Shia Muslims are permitted to worship at a Shia mosque in Moroni.
 - Expatriate Christian community members reported they had been waiting for more than four years for a government response to their application for a license to build a new nondenominational church.
 - **Hieronymy:** the importation of non-Sunni religious materials or devotional items into the Comoros is prohibited, both for personal and propagational use.
 - **Non-Sunni religious activity:** non-Sunni religious groups are not allowed to conduct any kind of public religious activity and even private activity is restricted; although foreigners are allowed to conduct non-Sunni religious activity. In January 2013, President Ikililou Dhoinine promulgated a law

declaring that Sunni Islam and the Chafeite rite as the country's official religion. Shia Islam is not allowed in the Comoros.

- **Proselytism:** the law prohibits proselytising or performance of non-Sunni religious rituals in public places, based on “affronting society’s cohesion and endangering national unity.” Proselytising and public religious ceremonies are prohibited for all religions except Sunni Islam.
- **Ramadan laws:** the law provides that before the month of Ramadan, the Ministry of Islamic Affairs and the Council of Ulema publish a ministerial decree providing instructions to the population for that month.
- **Religious authority:** *according to the constitution, the Grand Mufti is the highest religious authority in the country. The President appoints the Grand Mufti, who manages issues concerning religion and religious administration. The Grand Mufti heads an independent government institution called the Supreme National Institution in Charge of Religious Practices in the Union of the Comoros. The Grand Mufti counsels the government on matters concerning the practice of Islam and Islamic law. The Grand Mufti chairs and periodically consults with the Council of Ulema, a group of religious elders cited in the constitution, to assess whether citizens are respecting the principles of Islam.*
- **Sunni religious activity:** the law allows Sunni religious groups to establish places of worship, train clergy, and assemble for peaceful religious activities.
- Penal code
- **Descent from Sunni Islam:** a law establishes the Sunni Shafi’i doctrine as the “official religious reference” and provides sanctions of five months’ to one year’s imprisonment, a fine of 100,000 to 500,000 Comorian francs (\$250-\$1,200), or both, for campaigns, propaganda, or

religious practices or customs in public places that could cause social unrest or undermine national cohesion.

- **Profanity:** without specifying religion, the penal code provides penalties for the profaning of any spaces designated for worship, for interfering with the delivery of religious leaders in the performance of their duties, or in cases where the practice of sorcery, magic, or charlatanism interferes with public order.
- **Proselytism:** proselytising for any religion except Sunni Islam is illegal, and the law provides for deportation of foreigners who do so. The penal code states, “whoever discloses, spreads, and teaches Muslims a religion other than Islam will be punished with imprisonment of three months to one year and a fine of 50,000 to 500,000 Comorian francs” (\$120-\$1,200).
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in the Comoros to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians:** many Christians keep their faith private to avoid harassment.
- **Minorities:** wariness of the government among adherents of minority religions since 2018.
- **Shia Muslims:** anti-Shia sentiments have been publicly expressed by some government figures.

Overview

- Sunni Islam is the state denomination.
- Existential recognition only exists for Sunni Islam.

- There exists no established procedures for recognition meaning the Comoros is in a state of ambiguity.
- Freedom of religion or belief is non-existent in the Comoros.
- Narratives of “national identity” and “national cohesion” are used to justification restrictions on non-Sunni religious activity.
- Being the highest authority in the country, the fact that the Grand Mufti decides on all religious activity taking place in the country is a serious violation of the religious freedoms of those who do not share Islamic beliefs.
- The country is a signatory but not a party to the International Covenant on Civil and Political Rights.

Positive elements

- Nil.

Recommendations

- Dismantlement of the terminal system and the entire body of restrictions imposed on all non-Sunni religious activity; this means the reinstatement of the penal code to decriminalise non-Sunni and non-Islamic forms of religious activity in the country.
- Use of the tool of recognition as a means to educate about the importance of religious diversity and to spread awareness of the validity of minorities through the reaffirmation of their recognised, protected status.

Restriction tools implemented

- National identity is carved around Sunni Islam.
- Proselytism of any non-Sunni beliefs and practices is illegal.
- State denomination (a form of state religion).
- Religion in the Comoros is highly politicised.
- There exists widespread ambiguity – negative apathy – and no procedures for the registration of non-Sunni entities.
- Unjust retributions exist for non-Sunni activity including significant fines and charges of imprisonment.

History of RoRB classification

- The Comoros has been classified Terminal in the SRR since the first iteration of the RoRB Index in 2021.

Congo, Democratic Republic of the — Censorious

RoRB and national identity

- The Constitution of the Democratic Republic of the Congo makes an explicit claim to freedom of religion or belief, a right the government consistently infracts upon in practice.
- The Democratic Republic of the Congo is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in the Democratic Republic of the Congo.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in the Democratic Republic of the Congo demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration (broad application of this policy):** the government mandates that all religious groups register with it even in order to conduct those activities considered “basic” in RoRB standards. According to law, the government may legally recognize, suspend recognition of, or dissolve religious groups. Mandatory registration applies for both foreign and domestic religious groups. The status resulting from registration is called official recognition which demonstrates that existential recognition and legal registration are amalgamated in the DRC.

- **Procedure:** religious groups must send an application to the government. Religious groups must register only once for the group as a whole, but non-profit organisations affiliated with a religious group must register separately.
- **Temporary registration:** upon receiving a submission, the Ministry of Justice issues a provisional approval and, within six months, a permanent approval or rejection. Unless the ministry specifically rejects the application, the group is considered approved and registered after six months even if the ministry has not issued a final determination.
- **Additional approval for groups of foreign origin (GFOs):** applications from international headquarters of religious organisations must be approved by the Presidency after submission through the ministry.
- **Informational requirements:** a copy of the group's bylaws and its constitution.
- **Legal designation:** religious groups are classified as non-profit organisations.
- **Qualifications:** registered religious groups must respect the public order.
- **Registration benefits:** tax-exempt status.
- **Unregistration:** unregistered groups reportedly operate unhindered.
- **Registration rate:** *the Ministry of Justice again did not issue any final registration permits for religious groups and had not done so since 2014. The government, however, continued its practice of permitting groups to operate that were presumed to have approval, and unregistered domestic religious groups reported they continued to operate unhindered. Foreign-based religious groups stated they operated without restriction after applying for legal status. Under existing law, which remained under review, nonprofit organizations could operate as legal entities by default if a government ministry ruled favourably on their application and the government did not object to their application for status. According to 2015 registration statistics, the latest year for which the Ministry of Justice had statistics, there were 14,568 legally registered nonprofit organizations,*

11,119 legal religious nonprofit organizations, and 1,073 foreign nonprofit organizations.

- Evaluations
 - The Congolese government's implementation of a mandatory registration policy is impermissible to RoRB standards despite reports that unregistered religious groups operate unhindered by the state.
 - The separate registration procedure for GFOs remains unclear which is impermissible to RoRB standards as is this procedure's dependence on approval by the Presidency.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in the DRC as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into the Democratic Republic of the Congo is permitted without restriction, both for personal and propagational use.
- Penal code
 - **Places of worship**: it also permits religious groups to establish places of worship and train clergy. The law prescribes penalties of up to two years' imprisonment, a fine of 200,000 Congolese francs (\$100), or both for groups that are not properly registered but receive gifts and donations on behalf of a church or other religious organisation.
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in the Democratic Republic of the Congo to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **BDK members:** the government has also used violence in its efforts to suppress the Bundu dia Kongo (BDK), a religious movement that calls for autonomy in Kongo Central Province. In late April 2020, police in the town of Songololo killed at least 15 people when firing into, and then setting fire to, a home where BDK members were meeting. Several days later, BDK leader Zacharie Badiengila was detained in Kinshasa after negotiations to secure his surrender failed; Human Rights Watch (HRW) reported that at least 33 BDK members were killed in the subsequent raid.
- **Catholics:** despite this overall tolerance, the authorities responded aggressively to protest activities by the Catholic Church and some Protestant groups following the announcement of election results in 2019, sometimes entailing in violence in and around places of worship.
- **Muslims:** *Muslim community leaders again said the government did not afford them some of the same privileges as larger religious groups. The government continued to deny Muslims the opportunity to provide chaplains in the military, police force, and hospitals despite a complaint filed in 2015 with the then president and his cabinet. Catholic, Protestant, and Kimbanguist chaplains continued to serve in the police force and the armed forces.*
- **Ongoing violent conflict:** some church facilities, personnel, and services have been affected by violence in conflict areas.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; the terminology of “religious group” remains ambiguous although the one-submission policy does reduce

administrative bureaucracy; legal registration is primarily the focus with existential recognition made secondary and few procedures put in place to achieve that type of recognition.

- The provisional approval policy is not inappropriate but should be monitored for its misuse to inhibit the ability for religious groups to gain registration without unnecessary obstacles.
- The rule of mandatory registration violates the Bielefeldt provision.
- Violence directed towards religious groups can be reduced through more widespread use of the mechanism of recognition to reaffirm the validity of these groups.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Dismantlement of the retribution for unregistration.
- Remove all instances of political involvement in the registration process, namely the requirement for the Presidency to approve religious groups of foreign origin.
- Revoke the mandatory registration rule and other restrictive policies part of the registration process.

Restriction tools implemented

- Mandatory registration for religious groups.
- Politicisation of the registration processes emerges with the need for the Presidency's approval of foreign groups.
- Retributions of fines and imprisonment are in place for instances of unregistration.

History of RoRB classification

- In the first iteration of the RoRB Index in 2021, the DRC was classified as Restrictive but in the RoRB Index of 2022, the DRC is moved downwards in the SRR to Censorious classification due to

the government's use of violence to achieve its aims of the control of religion and belief.

Congo, Republic of the — Restrictive

RoRB and national identity

- The Constitution of the Republic of the Congo makes an explicit claim to freedom of religion or belief. The Constitution also prohibits religious discrimination and makes forced impositions on conscience based on “religious fanaticism,” such as forced conversion which is punishable by law.
- The Republic of the Congo is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** *a 2017 bilateral cooperation agreement between the government and the Holy See formalised relations between the government and the Catholic Church. The agreement defined places of worship, cemeteries, and ecclesiastical sites; penal case processes for clergy, property rights, and rules pertaining to use of mass media; education; appointment of chaplains to the security forces; and Church institutional activities providing health, education, social, and medical services for the common good.*
- Evaluations
 - The lack of existential recognition for belief systems and their communities other than the Catholic Church in the Republic of the Congo demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all religious groups register with it in order to conduct those religious activities classified as “basic” in the RoRB standards.

- **Procedure:** the registration process is based on the concept of approval and is dealt with by the Ministry of Interior.
 - **Informational requirements:** a certificate of qualifications to operate a religious establishment, a title or lease to the property where the establishment is located, the exact address where the organisation will be located, bylaws, and a document that clarifies the mission and objectives of the organisation.
- Evaluations
 - The Congolese government's implementation of a mandatory registration policy for religious groups is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Religious attire:** a 2015 decree banned individuals from wearing the full-face Islamic veil, including the niqab and the burqa, in public places citing security and terrorism concerns.
 - **Further restriction:** the decree also bans Muslims from foreign countries from spending the night in mosques.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into the Republic of the Congo is permitted without restriction, both for personal and propagational use.
 - **Political activity:** the constitution bans the use of religion for political ends, including religiously affiliated political parties.
 - **Censorship:** pastors are reticent to make statements that could be construed as hostile to the Sassou Nguesso government.
- Penal code

- **Unregistration:** fines and confiscation of goods, invalidation of contracts, and deportation of foreign group members.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in the Republic of the Congo to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in the Republic of the Congo for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated; legal registration is reduced only to singular religious buildings while denominations have few opportunity to achieve recognition.
- A degree of politicisation of religious activity seems to exist, namely the use of religion for political ends.
- The rule of mandatory registration is a violation of the Bielefeldt provision.
- There exists some subjective terminology in the legislation that could be potentially misused.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Dissolve all restrictive policies, particularly the mandatory registration rule and excessive informational requirements.
- Reverse the ban on religious clothing that targets the Muslim community.

Restriction tools implemented

- Mandatory registration for religious groups.
- Prohibition of certain items of religious clothing, particularly affecting the Muslim community.
- Subjectivity in the terminology of the legislation.
- Unjust retributions exist for unregistration include fines, confiscation of goods, deportation and the invalidation of contracts.
- Unstructure in the system exists.

History of RoRB classification

- The Republic of the Congo has been classified Restrictive in the SRR since the first iteration of the RoRB Index in 2021.

Cook Islands — Restrictive

RoRB and national identity

- Non-percolative recognition is in effect in the Cook Islands meaning that New Zealand law regarding religious recognition and registration procedures do not apply in this territory.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in the Cook Islands.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in the Cook Islands demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - Directly controlled by the prime minister (**authoritative decree**).
- Evaluations
 - It is impermissible to RoRB standards for a single individual to control which religious groups may apply for registration in a country or territory.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in the Cook Islands as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into the Cook Islands is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Cook Islands' penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in the Cook Islands to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in the Cook Islands for this First Edition of *Recognition of Religion or Belief*.

Overview

- Unsure of the existence of a recognition system – perhaps connected to New Zealand.

Restriction tools implemented

- Non-percolative recognition.

Recommendations

- Revoke the president's exercise of an authoritative decree.

History of RoRB classification

- The Cook Islands has been classified Restrictive in the SRR since the first iteration of the RoRB Index in 2021.

Costa Rica, Republic of — Restrictive

RoRB and national identity

- The Constitution makes a partial claim to freedom of religion or belief, a right that the government generally upholds in practice though with some infractions.
- The Constitution establishes Catholicism as the state denomination; as part of this established status, the state is required to contribute to the maintenance of the Catholic Church.
- The Constitution prohibits the state from impeding the free exercise of other religions that do not undermine “universal morality or proper behavior.”

Recognition law

- Structures and procedures for existential recognition

There are currently no procedures for the existential recognition of any other belief system, denomination or community other than the Catholic Church in Costa Rica.

- Evaluations
 - The lack of existential recognition in Costa Rica for any denomination other than Catholic Church is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not mandate that religious groups register to worship or practice their beliefs, to conduct any kind of fundraising, elements of which are considered “basic religious activity” under RoRB standards, registration is mandated which creates a pseudo-mandatory registration policy.

- **Procedure:** a religious group must register with the public registry of the Ministry of Justice.
 - **Legal designation:** the designation for religious groups in Costa Rican law is association (which is accorded judicial status).
 - **Registration benefits:** eligibility to engage in fundraising, eligibility to obtain legal representation in order to own property.
 - **Membership quota:** a minimum of 10 persons.
 - **Vertical recognition:** the Catholic Church is not registered as an association and receives a special legal recognised status in Costa Rica. Its assets and holdings are governed consistent with Catholic canon law.
 - **Procedure for places of worship:** an executive order provides the legal framework for religious organisations to establish places of worship. Religious organisations must submit applications to the local municipality to establish a place of worship and to comply with safety and noise regulations established by law.
- Evaluations
 - The pseudo-mandatory registration policy that is imposed on religious groups is impermissible for RoRB standards.
 - The government’s imposition of a membership quota (even though it is relatively low) is impermissible for RoRB standards.
 - The vertical form of recognition system that is created due to the Catholic Church’s special legal status as the state denomination is impermissible for RoRB standards.
 - Ownership of property and the legal ability to fundraise are not permissible registration benefits as these are classified as part of “basic religious activity” in RoRB standards and therefore, should be able to be conducted without a group having to undergo registration.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Costa Rica as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign religious activity:** *immigration law requires foreign religious workers to belong to a religious group accredited for migration control purposes by the Ministry of Foreign Affairs and Worship, and it stipulates religious workers may receive permission to stay at least 90 days, but not more than two years. The permission is renewable. To obtain accreditation, a religious group must present documentation about its organization, including its complete name, number of followers, bank information, number of houses of worship, and names of and information on the group's board of directors. Immigration regulations require religious workers to apply for temporary residence before arrival.*
 - **Hierony:** *the importation of religious materials or devotional items into Costa Rica is permitted without restriction, both for personal and propagational use.*
 - **Land use for religious purposes:** *the law allows the government to provide land free of charge to the Catholic Church only, but the government also provides funds to evangelical Christian groups. Government-to-church land transfers are typically granted through periodic legislation.*
 - **Marital law:** *only Catholic priests and public notaries may perform state-recognized marriages. Wedding ceremonies performed by other religious groups must be legalised through a civil union.*
 - **Political activity:** *the constitution forbids Catholic clergy from serving in the capacity of president, vice president, cabinet member, or Supreme Court justice. This prohibition does not apply to non-Catholic clergy.*
- Penal code

- There is nothing of particular concern to RoRB standards in the present version of Costa Rica's penal code.
- Facilitation of religion or belief
 - **Dedicated ministry:** the Ministry of Foreign Affairs and Religion is responsible for managing the government's relationship with the Catholic Church and other religious groups.
 - **Ombudsmanship:** by law, a person claiming a violation of religious freedom may file suit with the Constitutional Chamber of the Supreme Court and may also file a motion before the Constitutional Chamber to have a statute or regulation declared unconstitutional. Additionally, a person claiming a violation of religious freedom may appeal to the Administrative Court to sue the government for alleged discriminatory acts. Legal protections cover discrimination by private persons and entities. The title of the ombudsperson is the Defender of the Inhabitants (Spanish: *Defensoría de los Habitantes*).

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Costa Rica for this First Edition of *Recognition of Religion or Belief*.

Overview

- State denomination is Roman Catholicism.
- There are no procedures put in place for non-Catholic denominations and organisations to receive the same benefits or level of recognition that the Catholic Church receives (i.e. a situation of partial recognition).
- A small membership quota exists.
- Although religious groups are not mandated to register in order to exist and engage in religious practice, they are in effect

mandated in the sense that any type of fundraising may only be conducted with a registered organisations which in effect makes registration mandatory without implicitly saying so in the legislation.

Positive elements

- There are provisions put in place for reporting discrimination.
- There exists a system for registration without only a few minor issues.

Recommendations

- Establish a system that has the capacity to differentiate between existential recognition and legal registration and that can bestow these equitably.
- Remove the stipulation of membership quota, that registration is a prerequisite for fundraising, that places of worship need to be registered independently from the organisations with which they are affiliated and the vertical recognition system that is in effect.
- Resolve the issue of partial recognition being in effect by establishing provisions for all groups to saying recognition on a level playing field.

Restriction tools implemented

- Membership quota exists (though relatively minimal).
- Partial recognition is in effect.
- State denomination (a form of state religion).
- Stipulatory registration.

History of RoRB classification

- Costa Rica was classified Receptive in the first iteration of the RoRB Index in 2021.
- However, Costa Rica is being moved downwards in the SRR as it is now classified Restrictive as of the RoRB Index of 2022 on the

grounds that the registration procedures in Costa Rica have been identified as pseudo-mandatory.

Côte d'Ivoire, Republic of — Restrictive

RoRB and national identity

- The Constitution of Côte d'Ivoire makes an explicit claim to freedom of religion or belief, a claim that is generally upheld in practice though with some infractions.
- The Republic of Côte d'Ivoire is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Côte d'Ivoire.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Côte d'Ivoire demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government requires all religious groups to notify it of their existence (mandatory notification) and for all groups to under registration procedures in order to conduct basic religious activities. A religious group's designation as local or foreign is based on two factors: its funding sources and the members of its executive board (whether they are foreign nationals or not).
 - **Procedure:** all religious groups, both foreign and domestic, must send a registration application to the Department of Faith-Based Organisations (DGC).

- **Procedure for GFOs:** as a necessary precursor to registration with the DGC, religious groups of foreign origin must gain authorisation from the Minister of Territorial Administration and Decentralisation. The DGC investigates the entity to ensure it has no members or purpose deemed politically subversive and that no members have been judicially deprived of their civil and political rights.
 - **Informational requirements:** the group's bylaws, names of the founding members and board members, date of founding, and general assembly minutes.
 - **Operability:** *local religious entities are allowed to operate two months after they submit their registration application, without official approval. Foreign religious entities are technically not allowed to begin operating until they receive authorization, but this is not enforced.*
 - **Registration benefits:** *benefit from government support, such as free access to state-run television and radio for religious programming if requested. Registered religious entities are not charged import duties on devotional items, such as religious books or rosaries. Registered religious entities are also exempt from property tax on the places of worship they own.*
 - **Registration rate:** the DGC registered 186 new religious groups during 2021.
 - **Denial of registration:** *the DGC said it was not aware of any religious groups being denied or deferred registration during the year.*
 - **Unregistration:** there are no penalties prescribed for entities that do not register.
 - *The DGC stated that many unregistered local religious groups operated in the country, which it said was due to the group leaders' lack of knowledge or understanding of registration requirements. The DGC stated that when informed of the registration requirement, some religious leaders were puzzled, because they did not understand the purpose of the government's involvement in a personal matter like the practice of religion.*
- Evaluations

- The Ivorian government's implementation of a mandatory registration policy on religious groups is impermissible for RoRB standards.
- The informational requirements requested are permissible to RoRB standards.
- The separate procedure for GFOs is not impermissible to RoRB standards in and of itself but it could be made vulnerable to misuse due to the broad grounds on which a GFO may be denied entry to the country so continued monitoring is required.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Côte d'Ivoire as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign religious groups:** the DGC said it had not identified any foreign religious groups operating without authorization.
 - **Hieronymy:** the importation of religious materials or devotional items into Côte d'Ivoire is permitted without restriction, both for personal and propagational use.
- Penal code
 - **Hate speech:** there are legal penalties for threatening violence or death via an "information system." When such a threat is of a "racist, xenophobic, religious, or ethnic [nature] or refers to a group characterised by race, colour, descent, or national or ethnic origin," the law provides for a prison term of 10 to 20 years and a fine of 20 million to 40 million CFA francs (\$37,800 to \$75,600).

- Facilitation of religion or belief
 - **Dedicated office:** *the Department of Faith-Based Organisations (DGC), which is part of the Ministry of Territorial Administration and Decentralisation, is charged with promoting dialogue among religious groups as well as between the government and religious groups, providing administrative support to religious groups attempting to become established in the country, monitoring religious activities, and managing state-sponsored religious pilgrimages and registration of new religious groups.*
 - **Ombudsmanship:** there is currently no ombudsman office established in Côte d'Ivoire to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Côte d'Ivoire for this First Edition of *Recognition of Religion or Belief*.

Overview

- The rule of mandatory registration violates the Bielefeldt provision which automatically classifies Côte d'Ivoire as restrictive; there are no prescribed retributions for unregistration.
- A differentiation is made between local and foreign groups; administratively, this is acceptable as long as groups are not discriminated against due to their origins, whether foreign or local.

Positive elements

- A number of useful benefits are extended to registered groups.
- Horizontal recognition is in effect.
- The stated responsibilities of the DGC are dynamic in characteristic, particularly its facilitation of interfaith dialogue

and its provision of support for religious groups attempt to establish themselves in the country.

Recommendations

- Revoke the laws surrounding mandatory registration, even if they are dormant; remove the rule that local and foreign religious organisations have different registration procedures.
- Upon the revocation of such laws, Côte d'Ivoire should be able to move to Receptive classification.
- To move to dynamism, there would need to be an independent recognition agency established.
- Also, greater differentiation would need to be made between existential recognition and legal registration with relevant and suitable provisions granted to facilitate recognition at different levels simultaneously.

Restriction tools implemented

- Dormant laws exist regarding foreign groups not being allowed to operate without first receiving authorisation.
- Mandatory registration for religious groups.

History of RoRB classification

- Côte d'Ivoire has been classified Restrictive in the SRR since the first iteration of the RoRB Index in 2021.

Crimea, Republic of – Censorious

RoRB and national identity

- Percolative recognition is in effect from the Russian Federation.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Crimea.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Crimea demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the Russian occupying focuses have instituted a mandatory registration policy for religious groups in Crimea that much reflects the mandatory registration order enforced throughout Russia.
 - **Reregistration:** the occupation authorities forced religious organisations to reregister under new rules, sharply reducing the number of registered groups.
 - **Deregistration:** some groups were deregistered under these new laws.
- Evaluations
 - The imposition of a mandatory registration policy under the occupation by the Russian Federation is impermissible to RoRB standards.

- The misuse of reregistration and deregistration procedures against groups that the Russian occupiers does not favour is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Crimea as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Crimea follows similar rules to the Russian Federation due to its current occupation of the territory. This means that religious goods attempted to be imported may be restricted depending on the religion to which the goods belong. It is likely that Crimean authorities will require a review of any religious publications attempted to be imported into the territory, either for personal but especially for propagational use. The importation of Jehovah's Witness literature is prohibited as part of a 2017 ban on the group.
- Penal code
 - There is insufficient information about Crimea's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Crimea to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians:** occupation authorities have confiscated numerous properties in Crimea from the Orthodox Church of Ukraine (OCU); in June 2019, a de facto court nullified a prominent Simferopol cathedral's lease with Ukrainian authorities; it was the last cathedral in Crimea to have maintained an affiliation with the Ukrainian church authorities. (Earlier that year, police detained Ukrainian archbishop Clement in Simferopol, but he was released a few hours later in the face of international pressure.) In July 2020, authorities ordered the demolition of a smaller OCU structure in Yevpatoria.
- **Jehovah's Witnesses:** all 22 Jehovah's Witnesses congregations were deregistered after the Russian Supreme Court ruled in 2017 that the group had violated laws against extremism. In March 2020, authorities began issuing prison sentences to adherents for their activity. That month, a Jehovah's Witness received a six-year sentence for attempting to organise a congregation. In September, the territory's supreme court upheld a conviction against another member for his religious activity and handed him a six-year sentence.
- **Muslims:** mosques associated with Crimean Tatars have been denied permission to register, and Muslims have faced legal discrimination. At least 10 Crimean Tatars received prison sentences for their alleged Hizb ut-Tahrir membership in 2020. A December 2020 report from the Crimean Human Rights Group, a local nongovernmental organisation (NGO), separately counted the detention of 69 individuals accused of membership in "extremist" Muslim organisations in the previous month.

Overview

- With Russia's occupation of Crimea and its encroachments into Eastern Donbas, it is clearly exporting the terminally restrictive laws that it imposes in its own territory.

Restriction tools implemented

- An unjust reregistration law was imposed.
- Ban on Jehovah's Witnesses has been imposed as is customary in wider Russia.
- Confiscation and demolition of property belonging to the OCU.
- Legal discrimination of Muslim communities is in effect.
- Nullification of prior leases to property.
- Retributions for Jehovah's Witnesses include imprisonment.
- Weaponisation of the term "extremism."

Recommendations

- Denounce the forced reregistration and deregistration orders; denounce the Russian Federation's exportation of worst practice in Crimea on matters regarding religious activity.

History of RoRB classification

- Occupied Crimea was classified Terminal in the SRR in the first edition of the RoRB Index in 2021.
- Occupied Crimea was reclassified Censorious in the 2022 RoRB Index.

Croatia, Republic of — Receptive

RoRB and national identity

- The Constitution of Croatia makes an explicit claim to freedom of religion or belief and this is broadly upheld in practice by the government.
- The Republic of Croatia is a secular state.
- However, the Catholic Church does receive state privilege from the government.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreement:** *a contractual agreement with the state, which grants a registered religious community eligibility for further funding and benefits, defines the community's role and activities and provides for collaboration with the government in areas of joint interest, such as education, health, and culture. The Roman Catholic Church receives state financial support and other benefits established by four concordats between the government and the Holy See. One of these agreements provides state financial support for some religious officials. Another agreement stipulates state funding for religious education in public schools.*
 - *Registered religious communities that have not concluded agreements with the state and non-registered religious groups may not conduct religious education in public schools. Non-registered religious groups have no access to state funds in support of religious activities, including charitable work, counselling, and building costs. Registered religious communities that have not concluded agreements with the state and non-registered religious groups may engage in worship, proselytize, own property, and import religious literature. Only registered religious communities, with or without agreements with the state, may provide spiritual counsel in prisons, hospitals, and the military.*

- **State privilege:** *some minority religious and secular groups, including atheists, continued to say the Catholic Church enjoyed a special status in relation to other religious communities, in part because of its concordats with the government, which provided the Church with significant financial support, and in part because of its far-reaching cultural, educational, and political influence as the majority religion.*
- Evaluations
 - The establishment of procedures of bilateral cooperation agreements is welcomed as long as these agreements comprise similar tenets and are not grossly unbalanced between different denominations.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government only requires religious groups to register with it if they seek tax benefits, hence groups are free to conduct basic religious activities without needing to register.
 - **Procedure:** the Ministry of Administration deals with registration applications for religious groups seeking to register as a religious community in law.
 - **Informational requirements:** a list of its members and documentation outlining the group's activities and bylaws and describing its mission.
 - **Legal designation:** religious community is the designation used for religious groups that have achieved legal entity status; association is the designation for religious groups that have registered but do not possess legal entity status.
 - **Qualifications:** groups seeking legal entity status as religious community must already have been registered as an association in the country.
 - **Membership quota:** at least three members.
 - **Longevity quota:** at least five years.
 - **Membership quota:** at least 500 members to qualify for legal status as a religious community.

- **Registration benefits:** exempt from taxes on the purchase of real estate, the profit/capital gains tax, and taxes on donations; they may also conduct financial transactions as legal entities.
- **Enrolment:** for group active as a legal entity prior to the enactment of the current registration law must submit its name, the location of its headquarters, information on the office of the person authorized to represent it, and the seal and stamp it uses.
- **Registration rate:** *there are 55 registered religious communities, including the Roman Catholic Church, SOC, Bulgarian Orthodox Church, Christian Adventist Church, Church of Christ, Church of God, Croatian Old Catholic Church, Catholic Old Church, Evangelical Church, Macedonian Orthodox Church, Pentecostal Church, Reformed Christian Church, Union of Baptist Churches, Seventh-day Adventist Reform Movement, The Church of Jesus Christ of Latter-day Saints, Union of Pentecostal Churches of Christ, Coordination Committee of Jewish Communities in Croatia (an umbrella group of nine distinct Jewish communities), Jewish Community of Virovitica, Bet Israel (a Jewish group), and the Islamic Community of Croatia. In addition to the Roman Catholic Church, 19 of the registered religious communities have formal agreements with the state that more clearly define activities and cooperation, such as in the areas of marriage and religious education in public schools. These groups may access state funds for religious activities.*

- Evaluations

- The implementation of a policy of stipulatory registration is permissible for RoRB standards.
- It is impermissible in RoRB standards for a membership quota of any size to be imposed.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Croatia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Croatia is permitted without restriction, both for personal and propagational use.
 - **Marital law**: *the state recognises marriages conducted by registered religious communities that have concluded agreements with the state, eliminating the need for civil registration. Marriages conducted by registered communities that have not concluded agreements with the state, or by non-registered religious groups, require civil registration.*
 - **Organisation**: according to the constitution, religious communities shall be equal under the law and separate from the state.
 - **Pastoral and educational activities**: religious communities are free to conduct religious services publicly as well as open and manage schools and charitable organisations under the protection and with the assistance of the state.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Croatia's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: the incumbent ombudsperson of Croatia is Lora Vidović.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Croatia for this First Edition of *Recognition of Religion or Belief*.

Overview

- A degree of state privilege exists for the Catholic Church; the degree of equitability between Vatican concordats and the contractual agreements offered to other denominations needs to be monitored.
- Recognition and registration are amalgamated rather than ideally differentiated.
- There does exist restrictive elements in Croatia's system which block it from dynamic classification, namely its intrusive requirements including membership quotas, longevity expectations, and inappropriate informational requirements.

Positive elements

- Obligations that the state should support religious organisations operationally and financially shows dynamic character.
- Provisions have been put in place to protect entities registered prior to law enactments; re-submission of information, however, needs to be monitored to ensure no abuse of administrative powers takes place.

Recommendations

- Establish differentiation between existential recognition and legal registration and ensure appropriate provisions for the execution of each are put in place.
- Remove membership quotas and other intrusive informational requirements from the registration process.
- Solving these minor issues with the system will see Croatia ascend to the highest classification of dynamic.

Restriction tools implemented

- Exclusionary restriction tool.
- Intrusive informational requirements.
- Partial recognition is in effect.

- Membership quotas in place.
- State privilege.
- Stipulatory registration.

History of RoRB classification

- Croatia has been classified Receptive in the SRR since the first iteration of the RoRB Index in 2021.

Cuba, Republic of — Terminal

RoRB and national identity

- The Cuban Constitution makes an explicit claim to freedom of religion or belief although this right is systematically infringed upon in practice by the government; the Constitution also prohibits discrimination based on religious beliefs.
- Cuba is a hypersecular state espousing state atheism; as a Communist state, the freedom for religious institutions to operate is at the discretion of the government which is subordinate to the Communist Party.
- The Constitution also provides the “right to profess or not profess their religious beliefs, to change them, and to practice the religion of their choice...,” but only “with the required respect for other beliefs and in accordance with the law.” It states, “Conscientious objection may not be invoked with the intention of evading compliance with the law or impeding another from the exercise of their rights.”
- The Communist Party enlists the Ministry of Justice (MOJ) and security services to control religious institutions and the practice of religion.
- The country signed the International Covenant on Civil and Political Rights in 2008 but did not ratify it. The government notes, “With respect to the scope and implementation of some of the provisions of this international instrument, Cuba will make such reservations or interpretative declarations as it may deem appropriate.”

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Cuba due to the imposition of a nationwide policy of state atheism.
- Evaluations

- The lack of existential recognition for belief systems and their communities in Cuba demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the Law of Associations requires all religious groups to apply to the MOJ for official registration before conducting activities.
 - **Legal designation:** religious groups are given the legal designation of associations, a designation also given to civil society organisations and other secular entities. This does not provide enough distinction between secular and religious organisations as RoRB standards recommend.
 - **Informational requirements:** the location of their activities, their proposed leadership, and their funding sources, among other requirements.
 - **Pseudo-registration:** registration with the government for religious groups is undermined by the fact that groups must request permission to conduct any kind of activity beyond standard worship services, including holding meetings in approved locations, publishing major decisions from meetings, receiving foreign visitors, importing religious literature, purchasing and operating motor vehicles, and constructing, repairing, or purchasing places of worship. Groups failing to register face penalties ranging from fines to closure of their organisations and confiscation of their property.
 - **Unregistration:** being a member of or other affiliating with an unregistered religious group in Cuba is criminalised.
 - *According to CSW, many religious groups continued to state their lack of legal registration impeded their ability to practice their religion. Several religious groups, including Jehovah's Witnesses and the Church of Jesus Christ, continued to await decisions from the MOJ on pending applications for official registration, some dating as far back as 1994. Despite a 2019 letter from Cuban Ambassador to the United States Jose Cabanas to the First*

Presidency of the Church of Jesus Christ in Salt Lake City stating the denomination was “welcome” in the country, the MOJ had not approved the Church’s registration by year’s end.

- **House churches:** the law places regulation on house churches through registration procedures.
 - **Zoning quota:** *two house churches of the same denomination may not exist within two kilometres (1.2 miles) of one another and detailed information – including the number of worshippers, dates and times of services, and the names and ages of all inhabitants of the house in which services are held – must be provided to authorities.*
 - **Meeting supervision:** *the law states if authorization is granted, authorities will supervise the operation of meetings; they may suspend meetings in the house for a year or more if they find the requirements are not fulfilled.*
 - **Foreigner attendance:** *foreigners must obtain permission before attending services in a house church; foreigners may not attend house churches in some regions.*
- **Denial of registration:** *representatives of several religious organizations and religious freedom organizations said the government continued to interpret the law on associations as a means for the ORA and the MOJ to deny registration of certain groups. They also said the MOJ’s determinations of ineligibilities for registration sometimes included the assertion that another group already had identical or similar objectives, which these representatives said was a pretext the government used to control and favour certain factions of a religious denomination or one religious group’s activities over others.*

- Evaluations

- Churches cannot operate without some level of interference from the government even if they follow regulations and register all of their activities.
- Certain groups — those unfavoured by the government — have seen their registration applications unsuccessful which renders their ability to exist in the country illegal as all unregistered groups are illegal.

- The imposition of a mandatory registration policy against religious groups is impermissible for RoRB standards.
- The full range of informational requirements remains unclear which is impermissible for RoRB standards.
- Pseudo-registration is in effect throughout the country which is impermissible for RoRB standards.
- The criminalisation of unregistration for religious groups in the country is impermissible for RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Conscientious objection:** there are no legal provisions to protect conscientious objectors from military service which is compulsory for all Cuban men.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Cuba is restricted both for personal and propagational use and requires a license issued by the government both for traditional and especially non-traditional religions.
 - *The ORA continued to require a license to import religious literature and other religious materials. The government owned nearly all printing equipment and supplies and regulated printed materials, including religious literature. Religious leaders reported improvement in their ability to import religious materials. Several groups were successful in importing large quantities of Bibles.*
 - *Cuba has strict regulations governing the export of antiques and artworks, including those of a religious nature. You should obtain and keep the receipt for anything you purchase as it may be requested by Customs on departure. Some art and antiques need an export permit from the Country Heritage Office (known as Bienes Culturales). It is advisable to ask the vendor if it is needed and they have the required permit for the item you are buying.*

- **Religious education:** instruction in religion is highly regulated, and homeschooling is illegal, with parents who homeschool their children subject to arrest.
- **Dissemination of religious information:** *a law in force since July 2019 curtails freedom of expression on the internet to protect against “disseminating information contrary to the common good, morals, decency, and integrity through public data transmission networks.”* The penalty imposed for violating this law is 3,000 Cuban pesos (\$120) or two to four years imprisonment.
- Penal code
 - **Failure to gain approval:** registered groups failing to achieve permission to conduct activities beyond standard worship services will face penalties ranging from fines to closure of their organisations and confiscation of their property.
 - **House church attendance:** if an individual registers a complaint against a church, the house church may be closed permanently and members subject to imprisonment. Any house church that allows a foreigner to attend without prior approval by the government will receive fines and closure of the church.
 - **Unregistration:** the penal code states membership in or association with an unregistered group is a crime; penalties range from fines to three months’ imprisonment, and leaders of such groups may be sentenced to up to one year in prison.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Cuba to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Buddhists and Muslims:** *at year's end, Soka Gakkai continued to be the only Buddhist group registered with the government, and the Islamic League was the only registered Islamic group.*
- **Catholics:** the Roman Catholic Church has enjoyed an expansion of its pastoral rights, including periodic access to state media and public spaces and the ability to build new churches and distribute its own publications.
- **Protestants:** Protestant and evangelical groups tend to face greater restrictions, though they too have experienced improved conditions in recent years.
 - *Members of Protestant denominations said some groups were still able to register only a small percentage of house churches in private homes, although some unregistered house churches could operate with little or no government interference. CSW reported authorities continued to rely on two 2005 government resolutions limiting house churches to impose complicated and repressive restrictions on them.*

Overview

- Cuba espouses state atheism.
- The Communist Party of Cuba controls the majority of religious activity in the country and the government is subordinate to the Party.
- Recognition and registration are amalgamated rather than ideally differentiated; legal registration is primarily focused on yet achieving registration does not grant the group capacity to conduct its activities freely without government interjection.
- The government stipulates broad and vague terms as to what a religious group must follow in order to easily accuse them of breaking such stipulations as then a means of deregistering them.
- The rule of mandatory registration violates the Bielefeldt provision; other aspects of the Cuban system also violate various aspects of the Durham principles.
- Subjective language in the legislation is widespread, making it easy for the government to manipulate the legislation to restrict religious activity.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Complete dismantlement of the restrictive policies and registration requirements, primarily the mandatory registration rule and excessive informational requirements as well as the other restriction tools identified.
- End all means of violence to maintain restrictions on religious activity.

Restriction tools implemented

- Authorisation of the group's existence must take place as must each individual instance of activity of the group in order for it to comply with the regulations which is highly censorious.
- Distribution and importation of religious materials is highly restricted.
- False proclamation of freedom.
- Leeway restriction tool.
- Mandatory registration for religious groups.
- Proselytism is highly censored if not banned altogether.
- Retributions for unregistration or participation in unregistered religious activity, including fines and imprisonment.
- State atheism.
- State definition of religion and belief.
- Subjective legislation.
- Zoning laws are used against religious groups and where they build places of worship.

History of RoRB classification

- Cuba has been classified Terminal in the SRR since the first iteration of the RoRB Index in 2021.

Curaçao, Country of — Apathetic

RoRB and national identity

- Dutch law on religious recognition is not applied in Curaçao.

Recognition law

- Structures and procedures for existential recognition
 - There is limited information on existential recognition for religions in Curaçao for this First Edition of *Recognition of Religion or Belief*.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in Curaçao as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Curaçao as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Curaçao is permitted without restriction, both for personal and propagational use.
- Penal code

- There is insufficient information about Curaçao's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** although the Netherlands has an established office of the National Ombudsman and a youth ombudsman, it is unclear whether their jurisdiction reaches to Curaçao and other Dutch overseas territories as many of these territories are self-governing.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Curaçao for this First Edition of *Recognition of Religion or Belief*.

Overview

- Unsure of the existence of a recognition system – perhaps connected to the Netherlands.

Restriction tools implemented

- Non-percolative recognition.

History of RoRB classification

- Curaçao has been classified Apathetic in the SRR since the first iteration of the RoRB Index in 2021.

Cyprus, Republic of — Restrictive

RoRB and national identity

- The Constitution of Cyprus makes an explicit claim to freedom of religion or belief, a right the government generally upholds but has been known to infract upon in practice.
- The Republic of Cyprus is a secular state.
- However, the Constitution of Cyprus extends state privilege to the Church of Cyprus, part of the Greek Orthodox Church.
- The constitution sets guidelines for the Islamic Vakf, which is tax exempt and has the exclusive right to regulate and administer its internal affairs and property in accordance with its laws and principles. According to the constitution, no legislative, executive, or other act may contravene or interfere with the Church of Cyprus or the Vakf. The Vakf, which acts as caretaker of religious properties in the Turkish Cypriot community, operates only in the area administered by Turkish Cypriots. The government administers and provides financial support for the physical maintenance of mosques in government-controlled areas.

Recognition law

- Structures and procedures for existential recognition
 - **Constitutional recognition:** in addition to the Church of Cyprus and Islam, the constitution recognises three other religious groups: Maronite Catholics, Armenian Orthodox, and Latins (Roman Catholics). Their institutions are tax exempt and eligible for government subsidies for cultural and educational matters, including to cover costs to operate their own schools, for school fees of group members attending private schools, and for activities to preserve their cultural identity.
 - **State privilege:** The Constitution grants the Autocephalous Greek Orthodox Church of Cyprus (Church of Cyprus) the exclusive right to regulate and administer the Church's internal affairs and property in accordance with its canons

and charter. By law, the Church of Cyprus pays taxes only on commercial activities.

- Evaluations
 - Five belief systems, denominations or communities are recognised in Cyprus through constitutional recognition but beyond this, there are no established procedures for any other belief system or community to achieve existential recognition in the country which creates a closed recognition system.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandates that religious groups register with it in order to conduct activities classified in RoRB standards as “basic”. Religious groups that are recognised in the constitution do not need to register with mandatorily or stipulatorily. There is no legal distinction between religious organisations and secular organisations in the law.
 - **Procedure:** an application must be submitted, through an attorney, to the Registrar of Companies within the Ministry of Energy, Commerce, and Industry.
 - **Legal designation:** non-profit organisation is the designation for religious groups in Cypriot law.
 - **Informational requirement:** application documentation must state the group’s purpose and provide the names of its directors.
 - **Registration benefits:** the ability to make financial transactions and to open and maintain a bank account; eligibility for government subsidies; tax exempt status.
 - **Monitorial requirements:** registered religious groups must submit annual reports to the government.
- Evaluations
 - The imposition a stipulatory registration policy is permissible to RoRB as long as no stipulations are made that would limit

“basic religious activities” or make such activities contingent on registration in which pseudo-mandatory would be identified.

- Monitorial requirements of annual reports are permissible to RoRB standards as long as these are not misused in any attempt deregister religious groups that the government might not favour.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Cyprus as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hierony**: the importation of religious materials or devotional items into Cyprus is permitted without restriction, both for personal and propagational use.
 - **Heritage sites**: the government has formal processes by which religious groups may apply to use restored religious heritage sites for religious purposes.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Cyprus’ penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: the Office of the Commissioner for Administration and Protection of Human Rights (Ombudsman) is an independent state institution responsible for protecting citizens’ rights and human rights in general. The Ombudsman may investigate complaints made against any public service agency or official for actions that violate human rights, including freedom of religion, or contravene

the laws or rules of proper administration. The Ombudsman makes recommendations to correct wrongdoings but cannot enforce them.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Cyprus for this First Edition of *Recognition of Religion or Belief*.

Overview

- The constitution extends existential recognition to the Greek Orthodox Church of Cyprus, Islam, Maronite Catholicism, Armenian Orthodoxy, and Roman Catholicism.
- Recognition and registration are differentiated although the former is not available to any other groups not already recognised in the constitution; legal registration is offered to all other groups which constitutes partial recognition; the legal registration process does not provide the same degree of benefits as the existential recognition provided in the constitution.
- Non-percolative recognition is in effect in the Turkish Republic of Northern Cyprus because, as a de facto state, it has its own laws on religious recognition.

Positive elements

- The provision of the Ombudsman is there to protect human rights in the country and demonstrates the government's proactive approach to upholding the rights of citizens.

Recommendations

- Establish an independent recognition agency to manage religious recognition and registration in the country separate from government control in order to maintain the ectopolitical nature of freedom of religion or belief.

- Resolve some of the minor issues in the system by making it more equitable; the lack of equitability is the primary reason why Cyprus cannot yet be classified Dynamic.
- Remove constitutional recognition due to its inherent nature to cause discrimination and to cause communities left out to be remain unrecognised.

Restriction tools implemented

- Partial recognition is in effect.
- Stipulatory registration.

History of RoRB classification

- Cyprus was originally classified Receptive in the SRR in the first iteration of the RoRB Index in 2021.
- However, Cyprus has been reclassified Restrictive in the 2022 iteration of the RoRB Index.

Czech Republic — Receptive

RoRB and national identity

- The Czech Constitution makes an explicit claim to freedom of religion or belief, a claim the government broadly upholds in practice.
- The Czech Republic is now a secular state; the Czech Republic was formerly a satellite state of the Soviet Union under de facto Roman Catholicism state religion but also de jure state atheism.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Czechia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Czechia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - The Department of Churches within the Ministry of Culture (MOC) is responsible for religious affairs in the country.
 - Religious groups are not required to register with the government and are free to perform religious activities without registering.
 - **Stipulatory registration:** the government does not mandates that religious groups register with it in order to conduct activities classified in RoRB standards as “basic”.
 - The Department of Churches reviews registration applications with input from other government bodies like the Officer for

Protection of Private Data as well as outside experts on religious affairs. There are 42 state-registered religious groups, 18 first- and 24 second-tier.

- **Open-ended registration period:** the law does not establish a deadline for registration applications to be responded to. This does not meet RoRB standards as registration procedures need to be provided a deadline by the government in order to curb misuses of the process.
- **Reapplication:** applicants denied registration may appeal to the MOC to reconsider its decision and, if denied again, to the courts. It is unclear whether the decision of the courts can be appealed — from the present language used it seems not. If this is the case, there would need to be significant grounds of denial or else RoRB standards would be violated.
- **Vertical recognition:** the two-tiered system in place means that religious groups are not with the same benefits for completing registration based on certain characteristics.
- **First tier procedure (lower tier):** submission to the Department of Churches.
 - **Signature quotas:** applicants for the first tier must present at least 300 signatures of adult member permanent residents in the country.
 - **Informational requirements:** a founding document listing the basic tenets of the faith, and a clearly defined structure of fiduciary responsibilities to the Department of Churches.
 - **Registration benefits:** limited tax benefits, including exemptions from taxes on interest earned on current account deposits, donations, and members' contributions.
 - **Monitorial requirements:** annual reporting requirements on activities, balance sheets, and the use of funds must be submitted to the Department of Churches in order to maintain this tier. Monitorial requirements are generally acceptable within RoRB standards as long as they take place no more than once a year and are not misused.
- **Second tier procedure (higher tier):** submission to the Department of Churches.
 - **Longevity quota:** the applicant group must have already been registered with the Department of Churches for at least 10 years and have published annual financial reports throughout this.

- **Membership quota:** the applicant group must have a membership equal to at least 0.1 per cent of the population (approximately 10,700 people). The group must provide this number of signatures as proof of this membership. This membership quota is one of the most restrictive in present RoRB conditions around the world.
 - **Registration benefits:** government subsidies and tax relief also granted to first tier groups.
 - **Preregistered groups:** Religious groups registered prior to 2002 received automatic second-tier status without having to fulfil the requirements for second-tier registration. These groups, like other registered groups, must publish financial reports annually.
 - **State funding:** *the government provided second-tier religious groups approximately 3.2 billion crowns (\$149.41 million): one billion crowns (\$46.69 million) in government subsidies to 17 groups and 2.2 billion crowns (\$102.72 million) to 16 groups as compensation for communal property in private and state hands that would not be returned. Five of the 22 second-tier groups declined the government subsidy and were not eligible for compensation payments for lost property. The Baptist Union accepted the state subsidy, but while eligible to receive it, opted not to accept compensation for unreturned property. In addition, the MOC provided 11.9 million crowns (\$556,000) in grants for religiously oriented cultural activities in response to applications from various religious groups.*
 - The law phases out direct state subsidies to second-tier religious groups over a 17-year period ending in 2029. This drawing back of funds for religious communities raises the question of the Czech government is engaged in the facilitation of religion and belief.
 - **Unregistration:** unregistered religious groups are free to assemble and worship but may not legally own property. Unregistered groups may form civic associations to own and manage their property.
- Evaluations

- Establishing a two-tiered system of recognition is impermissible to RoRB standards.
- The imposition of signature quotas of any kind is impermissible to RoRB standards.
- Disallowing unregistered religious groups to legally own property as a result of their unregistration is impermissible to RoRB standards as religious groups should not have to legally register as secular entities (such as civic associations) in order to own or manage property.
- The Department of Churches' review of applications is unclear and is impermissible to RoRB standards.
- Drawing back of state funding for religious groups is concerning in terms of the state's responsibilities to facilitate religion and belief and their affiliated communities and organisations.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Czechia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Education:** *the law permits second-tier religious groups to apply through the MOC to teach religion in state schools if there is a demand for such classes. Eleven of the 23 second-tier groups, all of them Christian, have permission to teach religion classes. The teachers are supplied by the religious groups and paid by the state. If a state school does not have enough funds to pay for its religious education teachers, religious groups pay for them. Student attendance at religious classes is optional. According to law, if seven or more students register for a particular religious class at the beginning of the school year, a school must offer that class to those who registered.*

- **Hieronymy:** the importation of religious materials or devotional items into the Czech Republic is permitted without restriction, both for personal and propagational use.
- **Pastoral activities:** *only clergy of registered second-tier religious groups may perform legally recognised marriage ceremonies and serve as chaplains in the military and at prisons. Prisoners who belong to unregistered religious groups or groups with first-tier status may receive visits from their own clergy.*
- **Restitution:** *the law authorises the government to return land or other property that was confiscated during the communist era and is still in the government's possession to 17 religious groups (the largest of which are the Roman Catholic Church, FJC, Evangelical Church of Czech Brethren, and Hussite Church). The government estimates the total value of property in its possession eligible to be returned at 75 billion crowns (\$3.61 billion). The law also sets aside 59 billion crowns (\$2.84 billion) in compensation for property – mostly in possession of private persons or entities or local or regional governments – that cannot be returned, payable over a 30-year period ending in 2043. Based on an agreement among the affected religious groups, the law allocates approximately 79 percent of these funds to the Catholic Church and 21 percent to the other 16 groups. The law prescribed a one year deadline ending in 2013 for religious groups to file restitution claims for confiscated property. The government agency in possession of a property for which a group has filed a restitution claim adjudicates that claim. If the government agency rejects a property claim, the claimant may appeal the decision in court.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Czechia's penal code.
- Facilitation of religion or belief

- **Ombudsmanship:** the Public Defender of Rights holds the role of ombudsman in Czechia, an office that has been established since 1999. The incumbent ombudsperson is Anna Šabatová who has been in office since 2014.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Czechia for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated.
- Bielefeldt recommends that countries do not stipulate specific criteria for membership size.
- The lack of a deadline for the registration process to complete may cause issues of accountability and the stagnation of the registration process; must be monitored.
- The structure of the system as based on two types of recognition categories is tantamount to vertical recognition; essentially, that although a group may register, it does not receive the same degree of recognition as another group in a higher tier; this does not abide by the principle that all groups are equal in their validity and should receive equitable recognition as a reflection of this; this, coupled with further restrictions caused by membership quotas leads the Czech Republic's designation as restrictive.

Positive elements

- The government upholds freedom of religion or belief in the public sphere.
- There are provisions set forth for religious education, both of traditional and non-traditional beliefs.

Recommendations

- Establish a recognition agency independent of government that deals with and facilitates religious recognition and registration processes.
- Revoke the membership quotas and dismantle the elements of the system that correspond to vertical recognition in an effect to make the system fairer.

Restriction tools implemented

- Membership quotas are in effect.
- Stipulatory registration.
- Vertical recognition is in effect.

History of RoRB classification

- Czechia was classified Receptive in the first iteration of the RoRB Index in 2021 and continues to be so in the 2022 RoRB Index.

Denmark, Kingdom of (including Faroe Islands and Greenland) — Receptive

RoRB and national identity

- The Constitution of Denmark makes a partial claim to freedom of religion or belief, a right the government broadly upholds in practice.
- The Constitution of Denmark establishes the Evangelical Lutheran Church of Denmark (ELC; Lutheranism) as the state denomination. This also extends to the territories of the Faroe Islands where the Church of the Faroe Islands is the state denomination and to Greenland where again the Church of Denmark is the state denomination.
- The Constitution also states individuals shall be free to form congregations to worship according to their beliefs, providing nothing “at variance with good morals or public order shall be taught or done.”
- The Constitution specifies that “rules for religious bodies dissenting from the established Church shall be laid down by statute.” The constitution stipulates no person may be deprived of access to the full enjoyment of civil and political rights because of religious beliefs and that these beliefs shall not be used to evade compliance with civic duty. It prohibits requiring individuals to make personal financial contributions to religious denominations to which they do not adhere.

Recognition law

- Structures and procedures for existential recognition
 - **Privileges of the ELC:** state support and to which the reigning monarch must belong. The ELC is the only religious group that receives funding through state grants and voluntary, tax-deductible contributions paid through payroll deduction by its members. Voluntary taxes account for an estimated 86 percent of the ELC’s operating budget; the remaining 14 percent is provided through a combination of voluntary donations by congregants and government grants.

Members of other recognised religious communities cannot contribute via payroll deduction but may donate to their own community voluntarily and receive a tax deduction. The ELC and other state-recognised religious communities carry out registration of civil unions, births, and deaths for their members.

- Evaluations
 - The privileges extended to the ELC create a vertical system of recognition in the country as other recognised communities do not receive the same benefits as the ELC does such as receiving funding from state grants and tax-deductible contributions paid through payroll by members.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it.
 - **Procedure:** the Ministry of Ecclesiastical Affairs grants official status to religious groups either by royal decree (for groups recognised prior to 1970) and by official registration; both of these forms of registration result in the same degree of recognition for the registered group. Registration documentation should be submitted to the Faith Registry within the Ministry of Ecclesiastical Affairs. The Ministry of Justice makes the final decision on registration applications after receiving recommendations from a group consisting of a lawyer, religious historian, sociologist of religion, and non-ordained theologian.
 - **Legal designations:** there are two ways that religious groups are referred to in Danish law: religious community and congregation. A congregation is considered to be part of one of the major world religions (Christianity, Judaism, Hinduism, Buddhism and Islam).
 - **Informational requirements:** a document on the group's central traditions; a description of its most important rituals; a copy of its rules, regulations, and organisational

structure; an audited financial statement (which it must submit annually); information about the group's leadership; and a statement on the number of adult members permanently residing in the country.

- **Qualifications:** must have formal procedures for membership and make their teachings available to all members.
- **Membership quotas:** at least 150 adult members (for a religious community) and at least 50 adult members (for a congregation). For congregations located in sparsely populated regions, such as Greenland and the Faroe Islands, the government applies a lower population threshold, which varies according to the total population of the region.
- **Localised procedure for tax benefits:** the law requires individual congregations within a religious community to formally register with the government to receive tax benefits.
- **Monitorial requirements:** must comply with annual reporting requirements in order to maintain their government recognition. Religious groups that do not submit the annual financial statement or other required information may lose their registration status.
- **Registration benefits:** recognised religious groups have the right to perform legal marriage ceremonies, name and baptise children with legal effect, issue legal death certificates, obtain residence permits for foreign clergy, establish cemeteries, and receive various value added tax exemptions. The law allows only religious communities recognised before 1970 to issue birth, baptismal, and marriage certificates. This privilege will expire for all religious communities except the ELC in 2023. Members of other religious communities or individuals unaffiliated with a recognised religious group may have birth and death certificates issued only by the health authority.
- **Registration rate:** according to the Ministry of Ecclesiastical Affairs, there are 448 religious groups and congregations the government officially recognises or that are affiliated with recognised groups: 338 Christian groups, 66 Muslim (including the Alevi community, which the

government does not categorise as Muslim), 16 Buddhist, seven Hindu, three Jewish, and 18 other groups and congregations, including the Baha'i Faith and followers of the indigenous Norse belief system Forn Sidr.

- **Unregistration:** groups not recognised by either royal decree or the government registration process, such as the Church of Scientology, are entitled to engage in religious practices without any kind of public registration. Members of those groups, however, must marry in a civil ceremony in addition to any religious ceremony. Unrecognised religious groups are not granted full tax-exempt status, but members may deduct contributions to these groups from their taxes.

- Evaluations

- The provision that unregistered groups may engage in what RoRB standards describes as “basic religious activity” is welcomed.
- The high registration rate is a demonstration of the fact that the country’s registration procedures are not onerous and are not misused by the government against groups it does not favour.
- Changes set to take effect in 2023 regarding recognised religious communities except the ELC not being able to issue various forms of certification is, however, a cause for concern and will need continued monitoring to ensure compliance with RoRB standards.
- It is permissible in RoRB standards that a government imposes monitorial requirements onto religious groups to maintain their registered status as long as any monitoring that takes place is fair and is not misused by the state to deregister groups that it simply does not favour.
- The imposition of membership quotas, however, is impermissible for RoRB standards.
- A policy of stipulatory registration is permissible in RoRB standards as long as stipulations made do not state that any religious activity classified “basic” is contingent on a group having received registered status.

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Denmark as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Foreign funding:** *in March, parliament approved a new law that bans foreign countries from funding and financing mosques in the country. The new law garnered support from all major political parties. Social Democrat Immigration and Integration Minister Mattias Tesfaye labeled the law an important step to curb what he termed “Islamist extremism.” The law states, “Anyone who receives one or more donations that individually or together exceed 10,000 kroner (\$1,500) within 12 consecutive calendar months from a natural or legal person who is included on the public ban list is punishable by a fine.”*
 - **Foreign missionary activity:** *by law, the Ministry of Immigration and Integration may prevent entry by foreign religious figures who do not already have a residence permit if it determines their presence poses a threat to public order. In such cases, the ministry places the individuals on a national sanctions list and bars them from entry for two years, a period which it may extend. The sanctions list does not apply to European Union nationals and residents.*
 - **Hierarcy:** *the importation of religious materials or devotional items into Denmark is permitted without restriction, both for personal and propagational use.*
 - **Marital law:** *the law requires clergy members with legal authorization to officiate marriages to have an adequate mastery of the Danish language and to complete a two-day course on family law and civil rights administered by the Ministry of Ecclesiastical Affairs. The law also requires that religious workers “must not behave or act in a way that makes them unworthy to exercise public authority.” The government*

may strip the right to perform marriages from religious workers whom it perceives as not complying with these provisions.

- Penal code
 - **Hate speech:** the law prohibits hate speech, including religious hate speech, and specifies as penalties a fine (amount unspecified) or a maximum of one year's imprisonment. If a religious leader disseminates the hate speech, the penalties increase to a fine or a maximum of three years' imprisonment.
 - **Religious attire:** the law prohibits masks and face coverings, including burqas and niqabs, in public spaces. Violators face fines ranging from 1,000 to 10,000 Danish kroner (\$160-\$1,600). Fines are 1,000 kroner (\$160) for the first offence, 2,000 kroner (\$330) for the second, 5,000 kroner (\$820) for the third, and 10,000 kroner (\$1,600) for the fourth and subsequent offences.
 - **Religious symbols:** the law bans judges from wearing religious symbols such as headscarves, turbans, skullcaps, and large crucifixes while in court proceedings.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is an established ombudsman institution in Denmark that has four branches (Parliamentary Ombudsman, Consumer Ombudsman, Royal Ombudsman and a children's office). The branch responsible for human rights is the Parliamentary Ombudsman, a person who is appointed by the Parliament of Denmark.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Denmark for this First Edition of *Recognition of Religion or Belief*.

Overview

- State denomination is the Evangelical-Lutheran Church in Denmark.
- A structure of vertical recognition exists whereby opportunities for recognition for all non-ELC entities are reduced to legal registration only rather than existential recognition.
- The claim of equally treatment of the ELC, pre-1970 registered entities, and post-1970 registered should be monitored.
- Distinction is made between a religious community and a congregation which suggests again the existence of vertical recognition.
- A lack of provisions exist for existential recognition.
- Percolative recognition is in effect for both Greenland and the Faroe Islands.

Positive elements

- Provisions are set in place to protect against hate speech, both from clergy and citizens.

Recommendations

- Establish sufficient provisions for existential recognition, not just legal registration.
- In order to receive dynamic classification, Denmark would need to establish a recognition agency to manage religious recognition and registration in the country that is independent of government.
- Remove laws and stipulations that violate elements of the Durham principles.
- Revoke membership quotas.

Restriction tools implemented

- Membership quotas are in effect.
- Laws against certain religious clothing which disproportionately effect Muslims.

- Partial recognition is in effect.
- State denomination (as a form of state religion).
- Stipulatory registration.
- Vertical recognition is in effect.

History of RoRB classification

- Denmark has been classified Receptive in the SRR since the first iteration of the RoRB Index in 2021.

Djibouti, Republic of — Censorious

RoRB and national identity

- The Constitution of Djibouti makes an explicit claim to freedom of religion or belief, although this right is regularly infringed upon in practice by the government.
- The Constitution of Djibouti establishes Islam as the state religion without making specification as to a state denomination.
- The Constitution mandates the government respect all faiths and guarantees equality before the law, regardless of one's religion.
- The country is a party to the International Covenant on Civil and Political Rights although it has declared a reservation regarding proselytising in open public spaces.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Islam in Djibouti.
- Evaluations
 - The lack of existential recognition in Djibouti for any denomination other than Islam is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that religious groups register with it in order to conduct activities legally.
 - **Role of the Ministry of Islamic and Cultural Affairs:** the Ministry has authority over all Islamic matters and institutions, including mosques, religious events, and

private Islamic schools. Imams are civil service employees of the ministry; the government owns mosque properties and other assets.

- **Procedure for foreign and domestic groups:** the government requires all foreign and domestic religious groups to register by submitting an application to the Ministry of Interior, which conducts a lengthy background investigation of the group.
 - **Background investigation:** into group leadership, religious affiliation, sources of finance, and the group's objectives within the country.
 - **Procedures specific to groups of foreign origin (GFOs):** it is assumed that any non-Islamic religious group is classified as a GFO. The religious groups may not operate in the interim while awaiting registration. Muslim and non-Muslim foreign religious groups must also gain approval from the Ministry of Foreign Affairs to operate in the country which introduces dual registration policy.
 - **Limited agreement:** once approved, every foreign religious group signs a one year agreement detailing the scope of its activities, and its workers must obtain work permits and purchase annual residency cards.
 - **Monitorial requirements:** foreign religious groups must submit quarterly reports to the Ministry of Foreign Affairs and renew their agreements every year. The quarterly report details activities, origin of funding for activities, and scope of work completed, and it identifies beneficiaries.
 - **Procedures specific to Islamic groups:** domestic and foreign Muslim religious groups must inform the High Islamic Council at the Ministry of Islamic and Cultural Affairs of their existence and intent to operate.
- **Denial of registration:** ties to religious groups considered extremist, strong political agendas, and relations with unfriendly foreign nations are factors that could cause a group's application to be rejected.

- Evaluations

- The imposition of a mandatory registration is impermissible to RoRB standards.
- The broad grounds for the denial of registration are a misuse of procedures to disproportionately exclude groups that the government does not favour.
- The establishment of separate registration procedures for GFOs is permissible to RoRB standards but the extensive review of their activities is vulnerable to misuse to exclude groups the government does not favour is impermissible.
- Placing GFOs under limited agreements is also impermissible to RoRB standards.
- Background investigations should not discriminate based on the contents of a group's beliefs.
- To establish separate procedures specifically for Islamic groups due to the state's favouritism of Islamic denominations is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Djibouti as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** *the government continued to issue visas to foreign Islamic and non-Islamic clergy and missionaries but required them to belong to registered religious groups before they could work in the country or operate nongovernmental organizations. The number of foreign religious workers was relatively small during the year, estimated at 20-30. The government continued to require foreign religious leaders to regularise their status by purchasing an annual residency card for 24,000 Djiboutian francs (\$140).*
 - **Hieronymy:** the importation of religious materials or devotional items into Djibouti is restricted to Islamic and registered Christian religious groups for propagational use.

Any unregistered Christian group or non-Islamic group that is not a registered Christian group is prohibited from importing religious materials or devotional items. Importation of religious materials or devotional items for personal use only is permitted for Christians and Muslims. For any non-Christian or non-Muslim individuals whether foreigners or citizens, the rules remain unclear but such imports are likely prohibited.

- **Non-Islamic practice:** the law does not impose sanctions on those who do not observe Islamic teachings or who practice other religious beliefs.
- **Political activity:** the Constitution prohibits religiously based political parties. According to observers, it would be practically impossible for a non-Muslim to achieve a high position in government service.
- **Proselytism:** it is illegal for any faith to proselytize in public. The government continued to allow non-Islamic religious groups to host events and proselytize on the groups' private property; in practice, groups refrained from proselytising in public spaces such as hotels or street corners due to cultural sensitivities and the threat of government intervention. Government officials noted that any violation of the law forbidding public proselytising would summon the police.
- **Religious education:** the Ministry of Islamic and Cultural Affairs and the Ministry of Education jointly oversee the school curricula and teacher certification of approximately 40 Islamic schools, except for religious schools run by the Kingdom of Saudi Arabia in the country, which follow the Saudi curriculum. Other international schools are permitted to offer their own curriculum. The public school system is secular. Private schools run by religious organisations must offer a civic and moral education course based on Islam to all students, including non-Muslims.

- **Religious literature:** the government continued to permit a limited number of Christian missionaries to sell religious books and pamphlets at a bookstore in Djibouti City.
- **Vetting of sermons:** the Ministry of Islamic and Cultural Affairs' High Islamic Council vets all Friday prayer service sermons.
- Penal code
 - There is insufficient information about Djibouti's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Djibouti to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Djibouti for this First Edition of *Recognition of Religion or Belief*.

Overview

- Islam is the state religion.
- There exists no procedures for existential recognition of any belief system other than Islam; legal registration are offered to all other religious organisations although this does not equate to the type of recognition bestowed to Islamic organisations.
- The structure of the registration process on one-year contracts is highly restrictive and a restriction fairly unique to Djibouti as is the
- Although there are provisions in place for registered non-Muslim groups to operate, this does not include public practice and profession which are protected under freedom of religion or belief.

- Discrimination against non-Islamic religious groups.
- The rule of mandatory registration contravenes the Bielefeldt provision.

Positive elements

- Non-registered groups are supposedly able to worship private without government intervention; this should be monitored.

Recommendations

- Allow for proselytism for all faiths to take place and for public practice of all religions.
- De-politicise religious activity.
- Revoke the country's reservation to the International Covenant on Civil and Political Rights regarding proselytism in public spaces.
- Revoke the mandatory registration rule.

Restriction tools implemented

- Excessive administration exists in the registration system.
- Mandatory registration for religious groups.
- One year contracts and quarterly reports are mandatory for any non-Islamic group.
- Partial recognition is in effect.
- Politicisation of religion is existent.
- Proselytism for any belief system is illegal.
- State religion.
- Subjective terminology is used throughout the legislation.

History of RoRB classification

- Djibouti has been classified Censorious in the SRR since the first iteration of the RoRB Index in 2021.

Dominica, Commonwealth of — Restrictive

RoRB and national identity

- The Constitution of Dominica makes an explicit claim to freedom of religion or belief and this right is generally upheld in practice by the government though with some infractions.
- The Commonwealth of Dominica is a secular state.
- By law, the government may make exceptions to constitutionally required provisions in the interests of public order and morality if the exceptions are for activities “shown not to be reasonably justifiable in a democratic society.”

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Dominica.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Dominica demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it except for if they wish to obtain non-profit status.
 - **Procedure:** a registration letter should be submitted to the Attorney General’s Office. The Attorney General’s Office then reviews and approves the registration application.

- **Second procedure:** buildings used for marriage banns, as places of worship or for other kinds of religious gatherings must be registered.
 - **Informational requirements:** the official name of the group and an address identifying the place of worship.
 - **Signature quota:** five executives of the religious group must sign the registration letter.
 - **Registration fee:** 25 Eastern Caribbean dollars (\$9).
 - **Denial of registration:** any religious group denied permission to register has the right to apply for judicial review.
- Evaluations
 - The imposition of a stipulatory registration policy is permissible to RoRB standards as long as any stipulations that are made do not contravene “basic religious activity”.
 - The imposition of a signature quota is impermissible to RoRB standards.
 - The imposition of a registration fee that is below the threshold established in RoRB standards is permissible.
 - The imposition of a mandatory registration policy for buildings that issue marriage banns or conducting religious services is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Dominica as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Dominica is permitted without restriction, both for personal and propagational use.

- **Political activity:** the Constitution prohibits a minister of a religion from being qualified to run in an election.
- **Religious education and religious instruction:** the constitution grants religious groups the right to establish and maintain private schools and to provide religious instruction. Students of different religions may attend private schools run by religious groups of another affiliation. Public schools may hold nondenominational prayers, and attendance is optional. The law requires the vaccination of all children to attend both public and private schools. The government does not offer a waiver for children without vaccinations. Parents may homeschool their children.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Dominica's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Dominica to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Dominica for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated.
- Legal registration is offered to religious organisations while places of worship and buildings used for marriage banns must register making Dominica only partially stipulatory.

- An appropriate administrative fee for the registration process is applied.
- The caveat of an exception to religious freedom provisions in the interests of “public order” is slightly subjective which must be monitored to ensure no misuse of this language takes place.

Positive elements

- The provision of religious freedom is generally upheld by the government.

Recommendations

- Differentiate between existential recognition from legal registration.
- Establish an independent recognition agency that can manage an established recognition system ectopolitically.
- Remove the elements of the stipulatory registration process which may be applied mandatorily.

Restriction tools implemented

- A small degree of subjective language is used in the legislation which could be misused against religious freedoms.
- Partial stipulatory registration.

History of RoRB classification

- Dominica has been classified Receptive in the SRR since the first iteration of the RoRB Index in 2021.

Dominican Republic — Restrictive

RoRB and national identity

- The Constitution of the Dominican Republic makes an explicit claim to freedom of religion or belief which the government generally upholds in practice but with some infractions.
- The Dominican Republic is a secular state.
- However, the Catholic Church is extended state privilege through a concordat between the Dominican state and the Holy See.
- The Constitution provides for freedom of “conscience and worship, subject to public order and respect for social norms.”

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** *a 1954 concordat with the Holy See designates Catholicism as the official state religion and extends special privileges to the Catholic Church not granted to other religious groups. These include the special protection of the state in the exercise of Catholic ministry, exemption of Catholic clergy from military service, permission to provide Catholic instruction in public orphanages, public funding to underwrite some Catholic Church expenses, and exemption from customs duties.*
 - **Reversing state privilege:** *deliberation continued on a draft law that, if passed, would allow other religious organizations to receive the same benefits as the Catholic Church, such as funding from the government and additional tax exemptions. The draft law was introduced in 2019 but the required period during which the draft needed to pass expired in early 2020 without the Legislative Assembly passing it. The law was reintroduced in June in the lower chamber and sent for review to the Permanent Commission on Culture, a legislative subcommittee. The Legislative Assembly had until mid-January 2022 to pass the proposed law. According to some Protestant leaders, approval of the proposed law would be a step in the*

right direction, but it would still be difficult to change the “hearts and minds” of both the government and the average citizen because Catholicism was so deeply rooted in the country’s culture and history. They said it would take a “cultural shift” both within the public and the government to see any significant progress towards fully equal treatment. Catholic Church representatives said they did not oppose the new law but that they would not advocate for it either, as they did not see it as “their issue.”

- Evaluations
 - The establishment of procedures for bilateral cooperation agreements is welcomed in RoRB standards but procedures for a wider group of religions to have opportunity to access to such agreements is essential for such agreements to facilitate religion and belief.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it except if groups wish to be exempt from customs duties. Catholics groups do not need to register even to be exempt from customs duties.
 - **Procedure:** a religious group must submit a registration application to both the Attorney General’s Office and the Ministry of Finance (demonstrating a procedure of dual registration). Overall, the process of registration includes three separate procedures or steps, the first two are dealt with by the Attorney General’s Office while the third is dealt with by the Ministry of Finance.
 - **First procedure:** to register with the Attorney General’s Office, there is a two-step procedure. Firstly, the relevant documentation must be submitted, the stipulated quota must be fulfilled and a registration fee must be paid.
 - **Informational requirements:** documentation showing a fixed address and the names of seven elected officers.
 - **Membership quota:** at least 25 citizen members.

- **Registration fee:** an undisclosed “nominal fee”.
- **Second procedure:** the religious group must then send a second application to the Attorney General’s Office.
 - **Informational requirements:** statutes and copies of government-issued identification documents for the board of directors.
- **Third procedure:** after registration with the Attorney General’s Office is complete, a religious group may then send a request for “customs duty exemption status” to the Ministry of Finance.
- **Legal designation:** religious groups are given the legal designation of non-governmental organisation (NGO). There is no legal distinction made between secular and faith-based NGOs.
- **Mandatory marriage officiation:** there is a separate registration procedure for religious groups that intend to officiate marriages. This procedure is mandatory and there are penalties for non-compliance.
 - **Procedure:** a religious group must send an application to the Central Electoral Board.
 - **Longevity quota:** at least five years of registered status in the country.
 - **Informational requirements:** provision of a membership list and programmes set up to train clergy on how to perform marriages legally.
 - **Responsibilities:** religious groups are responsible for determining the legal qualification of couples, and they must record all marriages performed in the civil registry within three working days of the marriage.

- Evaluations

- The imposition of a stipulatory registration policy is permissible to RoRB standards.
- The imposition of a longevity quota is impermissible to RoRB standards.
- The imposition of a membership quota is impermissible to RoRB standards.
- To establish multiple hurdles for registration procedures is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in the Dominican Republic as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into the Dominican Republic is permitted without restriction, both for personal and propagational use.
 - **Missionary activity**: foreign missionaries may obtain a one-year multi-entry business visa through the Ministry of Foreign Relations after submitting a document offering proof of the business activity from the institution or person in the country with whom the missionary is affiliated. Foreign missionaries may renew the visa before the original one-year visa has expired.
- Penal code
 - **Marital law**: failure to comply with regulations over marriage officiation may result in misdemeanour sanctions or fines, including 100 pesos (\$2) for each day over the recording deadline, marriage license suspension, or up to five years in prison.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in the Dominican Republic to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Protestants:** *some Protestant leaders said the government should open a department of religious affairs instead of working through liaisons from different Christian denominations, in order to be more responsive to all religious groups. According to some civil society organizations, they feared some religious groups, mainly Catholics, exerted too much influence in politics and government, thereby limiting the ability of non-Catholic groups to advance their own priorities.*

Overview

- Catholicism is the state denomination; however, a vague understanding of this concordat seems to exist in various other sources that sees this as state privilege rather than state religion.
- Registration is offered to all other non-Catholic entities on an optional basis but this does not equate to the existential recognition bestowed to the Catholic Church.
- There are various restrictions that place constraints on the registration process.

Positive elements

- Nil.

Recommendations

- Democratise the recognition and registration statuses in the country.
- Revoke restrictions involved in the registration process (including excessive informational requirements, longevity quota, membership quota, mandatory registration order, and the second and third procedures).

Restriction tools implemented

- A degree of subjective language is used in the legislation which could be misused to the detriment of religious freedoms.

- Retributions are in place to punish violations in terms of fines.
- State denomination (as a form of state religion).
- Stipulatory registration.

History of RoRB classification

- The Dominican Republic has been classified Restrictive in the SRR since the first iteration of the RoRB Index in 2021.

Eastern Donbas (Luhansk People’s Republic and Donetsk People’s Republic) – Terminal

RoRB and national identity

- A degree of percolative recognition is in effect from the Russian Federation.
- Russian Orthodox Church is provided state privilege.
- Although both “People’s Republics” guarantee freedom of religion in their constitutions, adherents of faiths that are not affiliated with the Russian Orthodox Church remain subject to persecution.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Eastern Donbas.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Eastern Donbas demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the Russian Federation applies its own registration laws in the territory it occupies in Eastern Donbas.
 - **Reregistration:** a mandatory reregistration process left many groups without registered status.
- Evaluations

- The imposition of mandatory registration and reregistration orders onto religious groups in Eastern Donbas by Russian occupiers in order to restrict or completely outlaw the activities of groups the occupiers do not favour is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Eastern Donbas as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Eastern Donbas follows similar rules to the Russian Federation due to its current occupation of the territory. This means that religious goods attempted to be imported may be restricted depending on the religion to which the goods belong. It is likely that authorities will require a review of any religious publications attempted to be imported into the territory, either for personal but especially for propagational use. The importation of Jehovah's Witness literature is prohibited as part of a 2018 ban on the group.
- Penal code
 - There is insufficient information about the penal code of Eastern Donbas as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Eastern Donbas to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Jehovah's Witnesses:** the most severely affected are Jehovah's Witnesses, who in 2018, were banned completely as an extremist organisation and had their properties seized.
- **Religious minorities:** raids or other pressure were directed at Baptists, members of the Orthodox Church of the Kyiv Patriarchate, the Greek Catholic Church, and some Muslim communities. Most members of religious minority groups, including Roman Catholics and Jews, are thought to have left the separatist-held areas since 2014.

Restriction tools implemented

- Ban on Jehovah's Witnesses.
- False claim to freedom of religion or belief.
- State privilege to the Russian Orthodox Church.
- Weaponisation of the term "extremism."

Recommendations

- Denounce the deregistration order.
- Denounce the Russian Federation's exportation of worst practice into the Donbas on matters regarding religious activity.
- Revoke the prohibition of Jehovah's Witnesses and reinstate their right to legally operate in the region.

History of RoRB classification

- Occupied Eastern Donbas has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Ecuador, Republic of — Restrictive

RoRB and national identity

- The Constitution of Ecuador makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice but with some infractions.
- The Republic of Ecuador is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** *a 1937 concordat with the Holy See accords juridical status to the Catholic Church and grants it financial privileges and tax exemptions. Other religious groups must register as legal entities with the government under a separate 1937 religion law and a 2000 decree on religion. If a religious group wishes to provide social services, it must register under a 2017 executive decree regulating civil society. The 2017 decree dictates how civil society organisations (CSOs) must register to obtain and maintain legal status. A religious group does not need to register as a religious organisation to register as a CSO and may conduct the processes separately.*
- Evaluations
 - The establishment of procedure for bilateral cooperation agreements as a means of existential recognition is welcomed by RoRB standards as part of the facilitation of religion or belief.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that religious groups register with it in order to legally conduct activities in the country. The Human Rights Secretariat

maintains national databases of legally recognised religious organisations and legally recognised CSOs, including religious groups that have registered as CSOs.

- **Procedure:** registrants may deliver their documentation to the Human Rights Secretariat directly, to one of the secretariat's eight regional offices, or via email. The Office of Religious Groups within the Human Rights Secretariat then assigns an expert to analyse the submitted documentation. Registration provides religious groups with legal and nonprofit status.
- **Legal designation:** religious organisation and civil-society organisations (CSOs) are the two primary legal designations used in the country. A religious group registers as a CSO under the government agency overseeing the issues on which the group wishes to work.
- **Informational requirements:** a charter signed by all of its founding members to the Human Rights Secretariat and provide information on its leadership and physical location.
 - **Informational requirements for CSOs:** to register as a CSO, religious groups require the same documentation as required for registration as a religious organisation, in addition to approved statutes and a description of the mission statement and objectives of the organisation.
- **Registration fee:** the registration process is free of charge.
- **Registration benefits:** eligible to receive government funding and exemptions from certain taxes per the tax code.
- **Deregistration:** the secretariat may dissolve a religious group if the group does not maintain legal status or does not adhere to the mission, goals, and objectives listed in its bylaws at the time of registration. Dissolution may include liquidation of physical property and be voluntary – in which case, the religious group could decide to whom to transfer its property – or forced, in which case the Human Rights Secretariat would confiscate the group's property.

- Evaluations

- The imposition of a mandatory registration policy is impermissible for RoRB standards.

- Procedures for deregistration are permissible to RoRB standards as long as they are not misused in order to exclude religious groups that the government does not favour.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Ecuador as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Ecuador is permitted without restriction, both for personal and propagational use.
 - **Labour laws:** *the labor law states that in general all work must be paid and does not distinguish religious workers from other types of workers. A citizen participation law recognises volunteerism and states social organisations may establish agreements with government authorities to employ unpaid labor. The law, however, does not specifically reference religious volunteerism as a category to be utilised to establish such an agreement.*
 - **Missionary activity:** *foreign missionaries and religious volunteers must apply for a temporary residence visa and present a letter of invitation from the sponsoring organisation, which may be foreign or domestic but must have legal status in the country, to the Ministry of Foreign Affairs. The letter must include a commitment to cover the applicant's living expenses and detail the applicant's proposed activities. Applicants also must provide a certified copy of the bylaws of the sponsoring organisation and the name of its legal representative as approved by the government.*
- Penal code

- There is insufficient information about Ecuador’s penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Office of the Human Rights Ombudsman, a separate entity from the Human Rights Secretariat, protects and advocates for human rights, including rights pertaining to religious groups; however, its role in this regard is not clearly defined in the constitution. The officer known as the People’s Defender performs the functions of an ombudsman.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Ecuador for this First Edition of *Recognition of Religion or Belief*.

Overview

- State privilege for the Catholic Church.
- Recognition and registration are amalgamated processes rather than ideally differentiated; recognition in Ecuador means legal and non-profit registration; there currently does not exist procedures for existential recognition of belief systems, denominations and communities.
- The distinguished processes between religious group registration and CSO registration create a vertical recognition situation.
- The requirements for registration seem appropriate but require continued monitored so as not to be misused against any applicant groups.
- The rule of mandatory registration, although its actuality remains ambiguous, is the primary reason for Ecuador’s designation as restrictive; upon clarification of this rule, the country could be easily moved to receptive classification.

Positive elements

- There is an established Secretariat responsible for the registration of religious groups and for the protection of human rights.

Recommendations

- Differentiate between existential recognition and legal registration; establish procedures for the former as well as the latter.
- Expand the Secretariat into a recognition agency that is independent of government.
- Remove instances of ambiguity within the legislation, set up procedures for multi-level recognition and revoke the mandatory registration order.

Restriction tools implemented

- Ambiguity exists within the legislation.
- Mandatory registration; repercussions for failing to register remain ambiguous.
- Partial recognition is in effect.
- State privilege.
- Vertical recognition is in effect.
- Unstructure exists within the registration procedures.

History of RoRB classification

- Ecuador has been classified Restrictive in the SRR since the first iteration of the RoRB Index in 2021.

Egypt, Arab Republic of — Censorious

RoRB and national identity

- The Egyptian Constitution makes a partial claim to freedom of religion or belief although this right is regularly infringed in practice by the government.
- The Egyptian Constitution of 2014 establishes Islam as the state religion without specifying a state denomination.
- Sunni Islam, Judaism and Christianity are only religions that the government gives any recognition to.

Recognition law

- Structures and procedures for existential recognition
 - **Eligibility:** only Islamic, Christian and Jewish denominations may request “official recognition” from the government. However, some groups that self-identify as Christian for example are still denied recognition and in the case of the Jehovah’s Witnesses, are banned in the country. Also, this “official recognition” does not equate to the same degree of recognition enjoy by Islam as the state religion.
 - **Amalgamation:** existential recognition and legal registration are amalgamated in the country in favour of recognition as there are no outlined procedure specific to registration of religious groups as recognition extends legal personality in the country.
 - **Procedure:** a request must be submitted to the Religious Affairs Department within the Ministry of Interior by a religious group seeking recognition in the country.
 - **Qualifications:** the group must not pose a threat to national unity or social peace. The department consults leading religious institutions, including the Coptic Orthodox Church and Al-Azhar University (**coreligious censorship**); the president then reviews and decides on the registration application (**authoritative decree**).
 - **Recognition benefits:** the right to be governed by its canonical laws, practice religious rituals, establish houses of

worship, and import religious literature. The fact that practicing religious rituals and the importation of religious literature are contingent on have received recognition is a violation of RoRB standards on “basic religious activity” which creates a **pseudo-mandatory recognition system**.

- Evaluations
 - The state qualifications are broad enough to be misused to exclude religious groups that the government might not favour and this is misuse does take place.

Registration law

- Structures and procedures of legal registration
 - **Indirect registration:** religious registration in Egypt is delegated to places of worship.
 - *In a November 7 statement, a cabinet committee tasked with registering unlicensed churches approved the legalisation of 63 churches and church facilities that had been operating without a permit, bringing the total number of churches and service buildings granted legal status since 2017 to 2,021. In November, the Prime Minister ordered governorates to accelerate permits and to send him periodic reports on their progress.*

Law and policy on religion and belief

- Self-identification
 - **Identity documentation:** the law requires the government to specify religion on national identity cards, with the only options being Islam, Christianity, or Judaism. According to an MOI decree pursuant to a court order, the government may enter a “dash” in place of religion for Baha’is.
 - *There was public debate and court challenges on the issue of listing religions on the national ID. Coptic human rights attorneys filed a lawsuit on August 25 demanding the Civil*

Status Department of the Ministry of Interior remove the “religion” field from the national ID card. Referring to what it said was the positive atmosphere of religious unity promoted by the Sisi government, the lawsuit stated that some persons still used the religious designator on ID cards to discriminate against religious minorities. During a panel discussion in September, journalist Ibrahim Eissa called for religion to be removed from citizens’ ID cards. Justice Minister Omar Marwan responded that “there must be some form of official documentation of citizens’ religion” to ensure laws and services that were specific to one’s religion were properly provided.

- Communal activity
 - **Foreign missionary activity:** *the government generally permitted foreign religious workers in the country. Sources continued to report, however, that some religious workers were denied visas or refused entry upon arrival without explanation.*
 - **Hierarcy:** the importation of religious materials or devotional items into Egypt is restricted for some groups and prohibited for others, both for personal and propagational use. Any religious group banned in the country (such as the Baha’i community or Jehovah’s Witnesses are prohibited from importing religious materials of any kind either for personal or propagational use). Unrecognised religions are prohibited from importing their publications or devotional items. Even religions recognised in the country are likely to require preapproval from the government for their intended import items, especially if they are for propagational use. Religious materials for personal use for recognised religious groups are permitted although rules surrounding personal use imports remain unclear.
 - Additionally, the FedEx Cross Border global list states that items “offensive to the Muslim culture” are prohibited for import into Egypt which may encompass non-Islamic religious materials.

- **Proselytism:** any attempt to convert a Muslim to another religion or irreligion, whether organised or unorganised, is illegal in Egypt.
- Penal code
 - **Prohibitions:** the law does not recognise the Baha'i Faith or its religious laws and bans Baha'i institutions and community activities. Although the government lists "Christian" on the identity cards of Jehovah's Witnesses, a presidential decree bans all Jehovah's Witnesses' activities. The law does not stipulate any penalties for banned religious groups or their members who engage in religious practices, but these groups are barred from rights granted to recognised groups, such as having their own houses of worship or other property, holding bank accounts, or importing religious literature.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Egypt to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Coptic Christians:** Copts in particular suffering numerous cases of forced displacement, physical assaults, bomb and arson attacks, and blocking of church construction in recent years. Informal reconciliation sessions following instances of sectarian conflict have denied Copts justice for acts of violence against them.
- **Minorities:** religious minorities and atheists have faced persecution and violence.

Overview

- State religion is Islam.
- A system of vertical recognition is in place whereby even though recognition may be achieved for non-Islamic groups, this

recognition does not correspond to the same degree of recognition that Islam itself as a belief system has received by the state due to it being the state religion.

- Recognition and registration are amalgamated rather than ideally differentiated with a focus on the former as existential recognition; only Islamic, Christian and Jewish denominations may receive recognition.
- The process of determining an applicant group as a “a threat to national unity or social peace” is subjective and could be easily used to discriminate against groups.
- The requirement for the president to review all recognition applications politicises the process and gives the president undue power over the religious and belief activities of citizens.
- The ongoing discrimination, physical assaults, terrorist acts, desecrations and forced displacements of targeted minorities demonstrates a major breakdown in the recognition system and its capacities to protect the dignity of all belief groups.

Positive elements

- Nil.

Recommendations

- Allow for all types of groups to apply for recognition and registration.
- Lift all nationwide religious prohibitions.
- Remove all forms of politicisation of the recognition system.

Restriction tools implemented

- False claim to freedom of religion and belief.
- Importation of religious literature is restricted, is prohibited for banned groups.
- Nationwide ban on some belief systems, namely the Baha'i Faith and the Jehovah's Witnesses denomination.
- Partial recognition is in effect.
- Politicisation of the recognition process.

- State religion.
- Stipulatory registration, but censorious.
- Subjective language is used in the legislation for misuse.
- Vertical recognition is in effect.

History of RoRB classification

- Egypt has been classified Censorious in the SRR since the first iteration of the RoRB Index in 2021.

El Salvador, Republic of — Restrictive

RoRB and national identity

- The Constitution of El Salvador makes an explicit claim to freedom of religion or belief and this right is generally upheld in practice but with some infractions.
- The Republic of El Salvador is a secular state.
- However, the Constitution of El Salvador extends state privilege to the Catholic Church and gives it legal privileges.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in El Salvador.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in El Salvador demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it except if they wish to receive tax-exempt status or to build places of worship, hence registration and preapproval is not required for what RoRB standards classify as “basic religious activities. The Catholic Church and Catholic groups are exempt from registration requirements by way of their state privilege in the country.
 - **Procedure:** a religious group must submit a registration application to the Office of the Director General for

Nonprofit Associations and Foundations (DGFASFL) within the Ministry of Governance. The DGFASFL then analyses the submitted documentation to ensure it complies with the law. Upon approval, the government publishes the group's constitution and bylaws in the official gazette. DGFASFL does not maintain records on religious groups once it approves their status, and there are no requirements for renewal of registration.

- **Procedure for GFOs:** foreign officials of registered religious groups or GFOs are mandated to obtain special residence visas for their religious activities, including “basic religious activities” such as proselytism which makes registration for such groups automatically mandatory. Registration with the DGFASFL is a necessary precursor for eligibility to register for the special residence visa.
- **Legal designation:** religious groups are classified under the law as non-government organisations (NGOs).
- **Informational requirements:** the group's constitution, its bylaws, a description of its organisational structure, location of its offices, its goals and principles, requirements for membership, functions of its ruling bodies, and assessments or dues.
- **Registration benefits:** tax exemptions and eligibility to build places of worship (it remains unclear whether registration is a prerequisite for owning a religious building in which case this would be a violation of “basic religious activity”).
- **Monitorial requirements:** by law, the Ministry of Governance has authority to register, regulate, and oversee the finances of non-governmental organisations (NGOs) and all religious groups except the Catholic Church, due to its special legal recognition under the constitution.
- **Registration rate:** *according to the Ministry of Governance, there were 169 requests for registration of religious groups during the year, compared with 122 in 2020. Of these, the ministry approved 28 and denied 24 because of incomplete documentation; 117 were pending at year's end. Government officials said the COVID-19 pandemic continued to impact the registration process because several officials from the ministry*

teleworked and did not have access to all relevant documents. The Ministry of Governance reported that although the registration process was available electronically, many religious groups did not present the required documents in a timely manner. According to the ministry, delays in registration approvals occurred because religious groups were first required to obtain legal entity documentation and the paperwork that they submitted to the ministry was incorrect or incomplete.

- Evaluations

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in El Salvador as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into El Salvador is permitted, both for personal and propagational use, although the possibility for the prohibition of certain items is provided for in a tariff decree still in effect (see below) making rules for hieronymy unclear.
 - Items prohibited by the Rules of Application and Interpretation of the Central American Importation Tariff Decree include “books, booklets, emblems, posters, and other articles of a subversive character or doctrines contrary to the established political, economic, and social order” which could be interpreted broadly to include certain alternative religious materials.
- Penal code

- There is insufficient information about El Salvador's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Human Rights Procurator (Spanish: *Procurador para la Defensa de los Derechos Humanos*) is the ombudsman for El Salvador.

Social dimensions of RoRB

- **Gang violence:** congregants and religious leaders have increasingly faced gang violence and extortion in recent years. People in some communities have been unable to access their churches due to territorial disputes between gangs. In addition, religious leaders working with former gang members have faced harassment and the threat of murder.

Overview

- State privilege is bestowed to the Catholic Church.
- Partial recognition is therefore in effect because the Catholic Church is exempt from the requirements that all other groups are required to fulfil without receiving the same degree of recognition overall.
- The Catholic Church has a form of existential recognition not bestowed to any other group.
- Recognition and registration are amalgamated for all non-Catholic groups rather than ideally differentiated; a focus is placed on legal registration rather than existential recognition.
- The informational requirements for registration seem appropriate although monitor is needed to ensure that abuse of these requirements does not take place that will hold detrimental effect on religious freedoms.
- Government involvement in the internal affairs of religious organisations is inappropriate.

- Ongoing gang violence against minorities and religious leaders is a demonstration of the government's lack of authority to ensure provisions for freedom of religion or belief.

Positive elements

- Nil.

Recommendations

- Establish sufficient procedures for existential recognition.
- Equalisation of recognition statuses and the revocation of state privilege; benefits should be available to all groups.
- Dismantle the vertical registration system.

Restriction tools implemented

- Government involvement in the internal affairs of religious organisations.
- Partial recognition is in effect.
- State privilege is in effect.
- Stipulatory registration.

History of RoRB classification

- El Salvador has been classified Restrictive in the SRR since the first iteration of the RoRB Index in 2021.

Equatorial Guinea, Republic of — Censorious

RoRB and national identity

- The Constitution of Equatorial Guinea makes an explicit claim to freedom of religion or belief yet this right is regularly infringed in practice by the government.
- The Republic of Equatorial Guinea is a secular state.
- The government extends state privilege both to Catholicism and Calvinism.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Equatorial Guinea.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Equatorial Guinea demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Permanent authorisation:** Methodists, Muslims, and Baha'is, hold permanent authorisations and are not required to renew their registrations with the Ministry of Justice, Religious Affairs, and Penitentiary Institutions (MJRAPI).
 - **Mandatory registration:** the government mandates that religious groups register with it. Religious groups register at the local (congregational) level.
 - **Procedure:** religious groups must submit a written application to the Director General of Religious Affairs

within the MJRAPI. The Director General of Religious Affairs adjudicates applications sent to them and may order an inspection by the MJRAPI into the applicant group before processing the application.

- **Informational requirements:** detailed information about the leadership (e.g., curriculum vitae) and members of the group; construction plans for religious buildings; property ownership documents, accreditations, and religious mandate.
- **Qualifications:** *in February, the MJRAPI applied a new regulation requiring all evangelical Christian missionaries and leaders, including those previously approved, to submit their theological certificates (i.e., educational credentials or proof of their religious qualifications) as a requirement for their religious groups to continue operating in the country.*
 - **Deregistration:** *this resulted in the dissolution of several unregistered evangelical Christian groups, which, according to sources, at least one evangelical leader believed was the underlying intent of the new rule. Some evangelical Christian leaders said privately that the new regulation discriminated against them, since it was not applied to all religious groups. Government officials said the new regulation had been imposed because many evangelical Christian churches had been involved in community scandals or were not respecting the norms for religious practice established by the MJRAPI. The new regulation did not apply to the Catholic Church or the Reformed Church.*
- **Registration fee:** 500,000 Central African francs (CFA francs) (\$860), up from 350,000 CFA francs (\$660) from the year prior.
- **Registration benefits:** the government recognises official documents issued by authorized religious groups, such as birth certificates and marriage certificates.
- **Reregistration:** newer groups and denominations may be required to renew their registration annually; however, some religious groups were granted exceptions by the government and allowed to reregister every two years instead of annually.
- **Exemptions:** neither the Catholic Church nor the Protestant Reformed Church of Equatorial Guinea is

required to register with the MJRAPI. The only religious group to receive state funding for operating educational institutions is the Catholic Church.

- **Unregistration:** the government may fine or shut down unregistered groups.

- Evaluations

- The ability for the government to fine and shut down groups unregistered is impermissible for RoRB standards.
- The imposition of a registration fee that grossly exceeds the \$100 threshold set by RoRB standards is impermissible.
- Annual reregistration policy is impermissible to RoRB standards.
- The government's use of violence to enforce its restrictions on citizens makes the country classifiable as Censorious.
- Informational requirements that request biographical details of group members and leaders are impermissible to RoRB standards.
- Instituting permanent authorisations for some religious groups and not others creates an unfair recognition system that discriminates based on religion or belief and is thereby impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- **Religious conversion:** the law states there is no national religion and individuals are free to change religions. By law, Christians converting to Islam are permitted to add Muslim names to their Christian names on their official documents.

- Communal activity

- **Activity curfew:** an MJRAPI decree specifies that any religious activities taking place outside the hours of 6 a.m. to 9 p.m. or outside of registered places of worship require preauthorisation from the ministry.

- *While the government continued routinely to grant permission for religious groups to hold activities outside of places of worship, with the exception of private homes, it usually denied permits to hold activities outside of the prescribed hours of 6 a.m. to 9 p.m., according to religious leaders. Authorities permitted all religious groups, including a small number of Baha'i and Jewish groups, to hold services as long as they finished before 9 p.m. and did not disturb the peace. Evangelical Christian groups stated they continued to hold activities in places of worship outside the prescribed hours with no repercussions.*
- **Decree exemption:** decrees made by the MJRAPI exempts the Catholic Church.
- **Foreign religious activity:** foreign religious representatives or authorities must obtain advance permission from the MJRAPI to participate in religious activities.
 - *Evangelical Christians continued to report that residency permits (which are separate from group registration permits) were prohibitively expensive at 400,000 CFA francs (\$690) for a two-year period, leading some missionaries to risk the consequences of not obtaining or renewing their permits. Local police reportedly enforced the requirement with threats of deportation and requested a small bribe as an alternative. There were no deportations reported. While the residency permit fee for foreign missionaries was the same as for all other foreigners, if the missionary coordinated with the MJRAPI and was part of a religious group present in the country since independence, a residency permit could be obtained for free, provided applicants could prove their missionary status, meet the new requirement to submit a theological certificate, and pass the requisite security checks. Catholic missionaries did not require residency permits to remain in the country.*
- **Hierony:** the importation of religious materials or devotional items into Equatorial Guinea is restricted, both for personal and propagational use, with preapproval from the government required before successful importation.

- **Mandatory observance:** government officials have reportedly been required to attend Catholic masses on ceremonial occasions, such as the president's birthday.
- **Missionary activity:** most foreigners, including foreign evangelical Christian missionaries, are required to obtain residency permits to remain in the country. Catholic missionaries are exempt from the residency permit requirement.
- **Private religious activity:** an MJRAPI decree prohibits religious acts or preaching within private residences if those acts involve persons who do not live there.
- **Proselytism:** the law requires a permit for door-to-door proselytising.
- Penal code
 - **Disbandment:** *in April 2020, the government issued a decree to disband two religious groups on the grounds that they did not comply with COVID-19-related bans on church services and other gatherings. The decree took effect without due process and included deportation orders for foreign pastors associated with the groups.*
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Equatorial Guinea to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Equatorial Guinea for this First Edition of *Recognition of Religion or Belief*.

Overview

- State privilege for the Catholic Church; also a degree of state privilege exists for Protestant Reformed Church of Equatorial Guinea.
- Also, Methodist, Muslim and Baha'i communities are exempt from renewal of registration.
- Hence, there exists a degree of separation between existential recognition and legal registration; however, existential recognition is not available to all groups; for most groups, only legal registration is available.
- Restrictions are imposed on where and at what times religious services and practices can take place.
- The rule of mandatory registration contravenes the Bielefeldt provision.
- Violations of freedoms during the COVID-19 pandemic demonstrate the government's censorious approach to religious activity and a lack of recognition and registration provision to protect such groups.

Positive elements

- Nil.

Recommendations

- Remove all instances of politicisation from the recognition and its procedures.
- Remove instances of partial recognition.
- Revoke state privileges in order to equalise the procedures for recognition and registration.
- Revoke the existent restrictions on religious activity.

Restriction tools implemented

- Confinement restriction tool.
- Excessive registration fee relative to other countries.
- Mandatory registration for religious groups.

- Partial recognition is in effect.
- Politicisation of the recognition system and its procedures.
- Proselytism is restricted.
- Restrictions exist on private religious practice, including in-home proselytism.
- Unregistration will lead to the group's closure.

History of RoRB classification

- Equatorial Guinea has been classified Censorious in the SRR since the first iteration of the RoRB Index in 2021.

Eritrea, State of — Terminal

RoRB and national identity

- The Constitution of Eritrea makes an explicit claim to freedom of religion or belief although this right is systematically infringed in practice by the government.
- The State of Eritrea is a secular state.
- Proclamation 73/1995 deals with religious issues in the country, including the registration of religious groups and was responsible for establishing the Office of Religious Affairs.
- The government said its official party doctrine promoted national citizenship above religious sectarianism and stated that it did not officially prefer any religion.

Recognition law

- Structures and procedures for existential recognition
 - **Recognised denominations:** the Eritrean Orthodox Tewahedo Church, Sunni Islam, the Roman Catholic Church, and the Evangelical Lutheran Church of Eritrea (affiliated with the Lutheran World Federation). These have been registered by the Office of Religious Affairs.
 - *Diaspora groups reported authorities controlled directly or indirectly virtually all activities of the four formally recognized groups. The leaders of the four groups continued to say that their officially registered members did not face impediments to religious practice. Individuals also reported restrictions on clergy meeting with foreign diplomats.*
 - *Most places of worship unaffiliated with the four officially registered religious groups remained closed to worship, but many of those buildings remained physically intact and undamaged. Religious structures formerly used by the Jewish and Greek Orthodox communities in Asmara have been preserved. The government protected the historic synagogue, which was maintained by the last Jew known to be remaining in the country. The Greek Orthodox Church remained open as a cultural building, and as there is no longer a Greek*

Orthodox community; members of the Eritrean Orthodox Tewahedo Church sometimes held religious services on the site. Other structures belonging to unregistered groups, such as the Church of Christ, remained shuttered. The government allowed the Baha'i center in Asmara to remain open, and the members of the center had unrestricted access to the building. A Baha'i temple outside of Asmara was allowed to operate. There were indications other unregistered groups, including Seventh-day Adventists and the Faith Mission Church, operated to some degree. The Anglican Church building held services, but only under the auspices of the registered Evangelical Lutheran Church.

- *Observers noted that the government exerted significant direct and indirect influence over the appointment of heads of recognized religious communities, including the Eritrean Orthodox Church and the Sunni Islamic community; some international NGOs said that authorities directly controlled the appointments. The government denied this, stating these decisions were made entirely by religious communities. The sole political party, the People's Front for Democracy and Justice, led by President Isaias Afwerki, de facto appointed both the head of the Sunni Islamic community and the head of the Eritrean Orthodox Tewahedo Church, as well as some lower-level officials for both communities. On May 12, the Synod of the Eritrean Orthodox Tewahedo Church elected the fifth patriarch, Abune Qerlos, six years after the death of the fourth patriarch, Abune Dioskoros, (and 15 years after the arrest of third Patriarch Abune Antonios, still seen as the rightful patriarch by many followers). On July 10, Acting Mufti Sheikh Salim Ibrahim al-Muktar was elected Mufti of Eritrea, a position left vacant since 2017.*
- **Quasi-recognition:** while the Baha'i are not one of the four officially recognised religions, they have registered every year since 1959, the year the chapter was established, and have quasi-recognition from the government.
- Evaluations
 - There are currently no procedures for the existential recognition of any other belief system, denomination or

community other than those already recognised in Eritrea; this is impermissible for RoRB standards.

- There is a form of quasi-recognition established in Eritrea that is impermissible for RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** based on a 2002 decree, the government mandates that religious groups register with it or else cease their activities.
 - **Role of the Office of Religious Affairs:** The Office of Religious Affairs has authority to regulate religious activities and institutions, including approval of the applications of religious groups seeking official registration.
 - **Procedure:** a religious group should send their registration application to the Office of Religious Affairs.
 - **Informational requirements:** each application must include a description of the group's history in the country; an explanation of the uniqueness or benefit the group offers compared with other registered religious groups; names and personal information of the group's leaders; detailed information on assets; a description of the group's conformity to local culture; and a declaration of all foreign sources of funding.
 - **Preapproval:** religious groups must obtain government approval to build facilities for worship.
 - **Unregistration:** some members of religious groups that are unregistered or otherwise not in compliance with the law reportedly continue to be subject to the former provisional penal code, which sets penalties for failure to register and noncompliance. A new penal code was promulgated in 2015 that does not directly address penalties for religious groups that fail to register or otherwise comply with the law, but includes a punishment for "unlawful assembly" of between one and six months' imprisonment and a fine of 5,001 to 20,000 nakfa (\$330-\$1,300); however, the new code has not yet been implemented.

- *Official attitudes differed toward members of unregistered religious groups worshipping in homes or rented facilities. Some local authorities reportedly tolerated the presence and activities of unregistered groups, while others attempted to prevent them from meeting. Local authorities sometimes denied government ration coupons to Jehovah's Witnesses and members of Pentecostal groups. Some religious prisoners reported they were allowed to worship together in prison as long as they did so quietly.*
 - *Government control of all mass media, as well as a fear of imprisonment or other government actions, continued to restrict the ability of unregistered religious group members to bring attention to government actions against them, according to observers. Restrictions on public assembly and freedom of speech severely limited the ability of unregistered religious groups to assemble and conduct worship in a designated place of worship, according to group members.*
- Evaluations
 - The imposition of a mandatory registration order is impermissible to RoRB standards.
 - The imposition of preapproval requirements onto religious groups in building places of worship are permissible to RoRB standards as long as these preapproval procedures do not have the nefarious intent to exclude groups unfavoured by the government; the precedent set by the Eritrean government with how it treats religious groups and minorities in the country indicates that nefarious intent indeed exists as part of the government's institution of these preapproval measures which means them impermissible to RoRB standards.
 - The informational requirements mandated by the government are excessive and are likely to be misused with the intention of excluding religious groups not favoured by the state which is impermissible to RoRB standards.
 - Although a new penal code for unregistration was introduced in 2015 and has not yet been implemented, the fact of the code's existence means it could be used by the government and is thereby impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Identity documentation:** the government requires all citizens to obtain an exit visa prior to departing the country. The application requests the applicant's religious affiliation, but the law does not require that information.
 - **Religious practice in the military:** religious practice is prohibited among members of the military, hence members of the military have no access to pastoral services even by recognised religious groups.
- Communal activity
 - **Foreign funding:** some church leaders continued to state that the government's restriction on foreign financing reduced church income and religious participation by preventing churches from training clergy or building or maintaining facilities.
 - **Hierarcy:** the importation of religious materials or devotional items into Eritrea is only permitted if approval is granted by the authorities; this applies for for personal use only. Rules regarding the importation of religious materials or devotional items for propagational use by recognised religions remain unclear although it is likely that any unrecognised religious group is prohibited from imported religious materials.
 - A 1994 customs tariff places a 2-3% tariff on various items including "religious books" although it remains unclear whether this tariff is still imposed on religious materials.
 - **Foreign funding:** the law limits foreign financing for religious groups, including registered groups. The only contributions legally allowed are from local followers, the government, or government-approved foreign sources.

- **Religious prohibition:** *the government continued to ban all other practices of Islam other than Sunni Islam.*
- Penal code
 - **Religious prisoners:** the Eritrean government released several groups of religious prisoners in 2020. As many as 69 Christians were released between September and October. In December, 28 Jehovah's Witnesses were released. Prisoners are not permitted to pray aloud, sing, or preach, and religious books are banned. Evangelicals, Pentecostals, and Jehovah's Witnesses released from prison report being pressured to recant their faith, forced to sign statements that they would no longer gather to worship, and warned not to re-engage in religious activities.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Eritrea to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Catholics:** in February 2020, an Ethiopian Roman Catholic cardinal was denied entry into Eritrea, despite possessing an entry visa.
- **Christians:** in April 2020, 15 Christians worshipping in a private home in Asmara were arrested. In June, authorities arrested 30 individuals who attended a Christian wedding in the capital.
- **Jehovah's Witnesses:** Jehovah's Witnesses face severe persecution, including denial of citizenship and travel papers.
- **Muslims:** a group of Muslims, who were originally detained after 2018 protests sparked by the death of Islamic school chairman Musa Mohammed Nur, were reportedly released by August.

- **Orthodox Christians:** the government also interferes in the practice of faiths it recognises. The Eritrean Orthodox Church's patriarch, Abune Antonios, was deposed and placed under house arrest in 2006. In 2019, church bishops expelled Antonios for "heresy."

Overview

- Existential recognition is extended to the denominations of Eritrean Orthodox Tewahedo Church, Evangelical Lutheranism, Roman Catholicism, and Sunni Islam; these groups do not necessarily receive state privilege.
- Recognition and registration are differentiated but this differentiation is used as part of a system of partial recognition in which only four denominations are able to access recognition.
- Government outlaws adherence to any group it does not recognise while also severely restricts and involves itself in the activities those groups it does recognise.
- Informational requirements for applicant groups are excessive and used against group to ensure the rejection of their application.
- No additions to the four recognised denominations have been made since 2002.
- Restrictions are placed on movement for citizens, particularly to depart the country which asks for religious affiliation; whether declaration of affiliation inhibits foreign travel remains unknown.
- The rule of mandatory registration is a violation of the Bielefeldt provision.
- Arrests of religious minorities are regular.

Positive elements

- Nil.

Recommendations

- Reduce the informational requirements imposed on groups.

- Revoke the mandatory registration law and other restrictions placed on the recognition system such as the ambiguous laws on unregistration, the government's refusal to recognise or register any new religious groups, vertical recognition system and state preapproval of religious buildings.

Restriction tools implemented

- Excessive informational requirements are in effect.
- False claim to freedom of religion and belief.
- Foreign connections of religious organisations are restricted; foreign financing is restricted.
- Government restrictions on what religious groups can do are widespread.
- Mandatory registration for all groups.
- Partial recognition is in effect.
- Possible restrictions placed on freedom of movement for individuals based on their religious affiliation.
- Recognition for new groups has halted altogether.
- Retributions for unregistration include fines and imprisonment.
- Stagnancy exists in the government's approach to recognising as many valid groups as possible.
- The mandate to cease religious practice prior to state approval is a clear violation of freedom of religion or belief.

History of RoRB classification

- Eritrea has been classified Terminal in the SRR since the first iteration of the RoRB Index in 2021.

Estonia, Republic of — Receptive

RoRB and national identity

- The Constitution of Estonia makes an explicit claim to freedom of religion or belief and this right is broadly upheld in practice by the government.
- The Republic of Estonia is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Estonia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Estonia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct “basic religious activities” as outlined in RoRB standards.
 - **Legal designation:** there are two legal designations used for religious groups in the country including religious association and religious society.
 - **Procedure for religious associations:** the Tartu County Court is responsible for religious registration in the country.
 - **Legal designation:** religious associations are classified as non-profit entities.
 - **Informational requirements:** a notarised or digitally signed application by the group’s management board, the

minutes of its constitutive meeting, and a copy of its statutes.

- **Membership quota:** at least 12 members.
- **Registration benefits:** value-added tax exemption among other tax benefits if applied for separate to registration.
- **Registration rate:** there are more than 550 religious associations registered with the government. According to the government NGO register, two religious associations – both Christian congregations – registered with the government during the year.
- **Procedure for religious societies:** religious societies are registered as non-profit associations or non-profit organisations (NGOs). The society must submit its registration application either electronically or on paper to the Tartu County Court registry office.
 - **Informational requirements:** a founding contract and statutes approved by its founders, who may be physical or legal persons.
 - **Registration benefits:** entitled to the same tax benefits as religious associations.
 - **Membership quota:** the minimum number of founders is two.
- **Unregistration:** the law does not prohibit activities by unregistered religious associations. Unregistered religious associations, however, may not act as legal persons. Unlike registered religious associations, unregistered associations are not eligible for tax benefits.

- Evaluations

- The implementation of a stipulatory registration policy is permissible to RoRB standards.
- Membership quotas is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Estonia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Estonia is permitted without restriction, both for personal and propagational use.
 - **Salary compensation:** the Ministry of the Interior provided 103,179 euros (\$117,000) in subsidies for the salaries of religious association employees to compensate for losses caused by COVID-19 restrictions. All registered religious associations had the opportunity to apply for salary compensation.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Estonia's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the responsibility of ombudsperson was entrusted to Estonia's Chancellor of Justice in 1999. *The Chancellor of Justice monitors whether state agencies comply with people's fundamental rights and freedoms and with the principles of good governance. In 2004 the ombudsman functions expanded to cover local governments, legal persons in public law and private persons who exercise public functions.*

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Estonia for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated;
- Informational requirements seem appropriate although require continued monitoring to ensure they are not expanded.
- Low membership quota in place.
- A relatively unrestrictive form of vertical recognition exists which distinguishes between a religious association and a religious society.

Positive elements

- The government already has an extensive list of diverse religious groups.

Recommendations

- Ensure that both traditional religious groups and NRMs are given the appropriate support they require to establish themselves in the country, not in any way hinder by unnecessary government restrictions.
- Established differentiation between recognition and registration.
- Streamline the levels of recognition in order to ensure the equitability of the procedures and the status they grant.
- To be classified Dynamic, establish a recognition agency independent of government.
- Revoke the membership quotas currently imposed.

Restriction tools implemented

- Membership quota.
- Stipulatory registration.
- Vertical recognition, albeit a form less severe, is in effect.

History of RoRB classification

- Estonia has been classified Receptive in the SRR since the first iteration of the RoRB Index in 2021.

Eswatini, Kingdom of — Restrictive

RoRB and national identity

- The Constitution of Eswatini makes an explicit claim to freedom of religion or belief and although this right is generally by the government in practice, it has at times be infringed upon.
- The Kingdom of Eswatini is a secular state.
- The government extends state privilege to Christianity and thereby, to Christian groups above non-Christian groups.

Recognition law

- Structures and procedures for existential recognition
 - **State privilege:** *non-Christian groups reported the government continued to provide some preferential benefits to Christians, such as free time on state television and radio. Government-owned television and radio stations broadcast daily morning and evening Christian programming. The government continued to provide each of the three Christian umbrella religious bodies and their affiliates with free airtime to broadcast daily religious services on the state-run radio station. Local newspapers provided free space in their announcement sections to Christian groups but not to non-Christian groups. The monarchy, and by extension the government, continued to align itself with Christian faith-based groups and supported Christian activities such as commemorating Christian holidays. Official government programs often opened with a Christian prayer, and several government ministers held Christian prayer vigils that civil servants were expected to attend.*
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Eswatini demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all religious groups register with it in order to conduct any activities legally in the country. Registration procedures are split between Christian and non-Christian groups with the procedures for the former based on a system of umbrella religious bodies. Apparently, rules requiring registration of religious organisations are not strictly enforced.
 - **Procedure for Christian groups:** a Christian group must apply through one of the umbrella religious bodies — either the League of Churches, the Swaziland Conference of Churches or the Council of Swaziland Churches. One of these umbrella religious bodies must write a recommendation for the applicant group. According to church leaders in the country, recommendations are routinely granted and do not impede the completion of registration. A submission should then be sent to the Ministry of Commerce, Industry and Trade which will grant registration if all documentation is approved.
 - **Informational requirements:** the group's constitution, membership, physical location and a recommendation from one of the umbrella bodies.
 - **Procedure for non-Christian groups:** a submission should be sent to the Ministry of Commerce, Industry and Trade which handles the registration of the religious group.
 - **Informational requirements:** presenting proof of a religious leader, a congregation and a place of worship is required causing **multi-registration** (see below).
 - **Registration benefits:** exemption from taxation, but contributions are not tax deductible.
 - **Registration of places of worship:** all prospective builders, including religious groups, must obtain government permission for the construction of new buildings in urban areas, and permission from the appropriate chief and chief's advisory council for new buildings in rural areas. In some rural communities, chiefs have designated special committees to allocate land to

religious groups for a minimal fee. This in turn creates a situation of multi-registration because having a place of worship is a necessary precursor to a religious group being able to complete the main registration process.

- Evaluations
 - The government's imposition of a mandatory registration order on religious groups is impermissible to RoRB standards.
 - Mandatory registration of places of worship is also impermissible to RoRB standards.
 - The informational requirements requested as part of registration are impermissible to RoRB standards, namely the stipulation that recommendations be made by umbrella bodies.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Eswatini as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Eswatini is permitted without restriction, both for personal and propagational use, as long as the importer holds a government permit. It is unclear whether the government requires a review of the religious materials before a permit is granted.
 - **Religious education:** Christian education is compulsory in public schools, and in 2017, the government banned the teaching of other religions in the public-school curriculum.
- Penal code

- There is insufficient information about Eswatini's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Dedicated ministry:** the Ministry of Home Affairs is the government agency responsible for monitoring religious affairs in the country.
 - **Ombudsmanship:** there is currently no ombudsman office established in Eswatini to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Minorities:** non-Christian groups are denied airtime on state broadcasters.
- **Muslims:** members of the Muslim minority allege discrimination by officials and Christian residents, and police reportedly monitor mosques.

Overview

- Recognition and registration are amalgamated rather than differentiated.
- Non-Christian groups being denied access to broadcasting demonstrates a degree of inequality within the recognition system; laws on proselytism remain vague.
- State monitoring of mosques and alleged discrimination of members of the Muslim community are concerning.
- The nationwide ban on non-Christian religions being taught in the public-school curriculum is further demonstration of the country's restrictive approach to religion and belief.
- The requirement of state officials to construct religious buildings is alarming in terms of its restrictivity.
- The rule of mandatory registration violates the Bielefeldt provision despite the fact that it is not strictly enforced.

- The structure of the registration process as segmented into umbrella bodies is unnecessary and restrictive despite claims that such a structure does not impede the registration procedures.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Differentiate between recognition and registration within the system and provide sufficient procedures for the provision of both.
- Revoke the identified restrictive structures and policies in place on the registration process (e.g. impedimentation).

Restriction tools implemented

- Government involvement in the internal affairs of religious organisations, particularly their constructions of places of worship demonstrates restrictivity.
- Mandatory registration despite not being strictly enforced.
- State monitoring of some religious activities.

History of RoRB classification

- Eswatini has been classified Restrictive in the SRR since the first iteration of the RoRB Index in 2021.

Ethiopia, Federal Democratic Republic of — Censorious

RoRB and national identity

- The Constitution of Ethiopia makes an explicit claim to freedom of religion or belief, a right the government regularly infracts upon in practice.
- The Federal Democratic Republic of Ethiopia is a secular state.
- The Ethiopian Orthodox Tewahedo Church (EOC) retains state privilege by the government.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Ethiopia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Ethiopia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that religious groups register with it before being able to conduct any activities in the country legally. Registration confers legal entity status onto a religious group.
 - **Procedure:** religious groups should submit an application letter to the Directorate of Faith and Religious Affairs within the Ministry of Peace. During the registration process, the government publishes the religious group's name and logo in a local newspaper and, if there are no objections, registration is granted.

- **Secondary procedure:** religious groups undertaking development activities are required to register their development organisations as charities with the Charities and Societies Agency and to follow legal guidelines originating from the Charities and Societies Proclamation.
 - **Legal designations:** there are two designations ascribed to religious groups in Ethiopia, the first being religious entity the second being ministry (or association); religious entities and ministries differ in the amount of members they possess.
 - **Informational requirements:** a founding document, the national identity cards of its founders, and the permanent address of the religious institution and planned regional branches; also required is information on board members, meeting minutes, information on the founders, financial reports, offices, name, and symbols.
 - **Membership quotas:** at least 50 members (for a religious entity) and at least 15 members (for a ministry).
 - **Registration benefits:** the right to congregate and to obtain land to build a place of worship and establish a cemetery.
 - **Monitorial requirements:** registered religious organisations are required to provide annual activity and financial reports. Activity reports must describe evangelical activities and list new members, newly ordained clergy, and new houses of worship.
 - **Reregistration:** religious groups must renew their registration at least every five years; failure to do so may result in a fine.
 - **Registration exemptions:** unlike other religious groups, the EOC is not registered by the Ministry of Peace but obtains registration through a provision in the civil code passed during the imperial era that is still in force.
 - **Unregistration:** unregistered groups do not receive benefits from the state.
- Evaluations

- The mandatory registration order that is imposed on religious groups in Ethiopia is impermissible to RoRB standards.
- Stipulating the right to congregate as a benefit of registration is impermissible to RoRB standards.
- It is impermissible to RoRB standards that the government impose membership quotas onto registrant religious groups as a stipulation of registration.
- The informational requirements requested as part of registration procedures are excessive and are thereby impermissible to RoRB standards.
- The practice of publishing a registrant religious group in the newspaper and to judge its registered status on whether or not objections are made to its registration in the country is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Ethiopia as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Government buildings policy:** government policy prohibits the holding of religious services inside public institutions, per the constitutionally required separation of religion and state. The government mandates that public institutions take a two-hour break from work on Fridays to allow Muslim workers to attend Islamic prayers. Private companies are not required to follow this policy.
 - **Hieronymy:** the importation of religious materials or devotional items into Ethiopia is permitted without restriction, both for personal and propagational use.
 - You will need an export certificate to take antiques out of the country, including antiques of a religious nature, otherwise the items are likely to be confiscated and you may face prosecution.

- **Places of worship and other religious buildings:** under the constitution the government owns all land; religious groups must apply to both the regional and local governments for land allocation, including for land to build places of worship.
- **Political activity:** the law prohibits the formation of political parties based on religion. The law allows all civil society organisations and religious groups to engage in advocacy and lobbying activities and to collect and obtain funding from any legal source.
- Penal code
 - There is insufficient information about Ethiopia's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Ethiopia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Ethiopia for this First Edition of *Recognition of Religion or Belief*.

Overview

- A degree of state privilege is conferred to the Ethiopian Orthodox Tewahedo Church (EOTC or EOC).
- A relatively small membership quota is in effect.
- The rule of mandatory registration violates the Bielefeldt provision meaning automatic designation as restrictive in the Spectrum of Religious Recognition.

- The extensive informational requirements are restrictive and could easily be misused in the future to surveil or otherwise deny registration of groups.
- Although violence frequently takes place between religious communities due to ongoing political instability, it is not known that the government incites or otherwise partakes in violence to achieve its ends of restricting religious activity therefore it cannot currently be classified as censorious.
- The rule that charitable works of religious groups requires separate registration is restrictive especially considering that a proportion of religious activity is centred on charitable works.

Positive elements

- Nil.

Recommendations

- Reduction of the systematic restrictions imposed on religious groups unless the classification of censorious is likely to be bestowed if the situation does not improve.
- Revoke the mandatory registration rule and other types of restriction tools.

Restriction tools implemented

- Government monitoring of the internal affairs of the group is inappropriate including the requirement that groups must provide annual reports on their activities regarding proselytism and listing of new members.
- Mandatory registration for religious groups.
- Membership quotas, although these are relatively small and easy to meet.
- Partial recognition is in effect.
- Politicisation of religion and belief in the country.
- Public objection restriction tool is in place which further inhibits success registration.
- Reregistration policy is in effect every five years.

- Restrictions exist for most aspects of religious life including the construction of places of worship, proselytism etc.
- Retributions for unregistration include a fine.

History of RoRB classification

- Ethiopia was classified Restrictive in the SRR in the first iteration of the RoRB Index in 2021.
- However, due to the ongoing civil war in the Tigray region, and the negative impacts this has had on FoRB in the country, including the government's use of violence against its own citizens, the RoRB Index of 2022 reclassifies Ethiopia as Censorious as RoRB conditions are considered to be impacted by the ongoing war.

Fiji, Republic of — Restrictive

RoRB and national identity

- The Constitution of Fiji makes an explicit claim to freedom of religion or belief and this right is generally upheld in practice but with some infractions caused by the government.
- The Republic of Fiji is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Fiji.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Fiji demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all religious groups register with it in order to operate in the country legally. Registration law looks to be oriented towards religious groups that own land but there is no mention in the law of the registration of religious groups that do not own land or property.
 - **Procedure:** registration has to be initiated by trustees on the religious group's behalf (the restrictive consequences of this remain unclear). An application should be submitted to the Registrar of Titles Office.
 - **Second procedure:** each religious building owned by a registered religious group must also be registered and

proof of title must also be presented to the Registrar of Titles Office.

- **Legal designation:** religious groups are referred to as “religious bodies” in the legislation.
 - **Informational requirements:** names and identification of the trustees, signed by the head of the religious body to be registered, a copy of the constitution of the proposed religious body, land title documents for the land used by the religious body.
 - **Registration fee:** 2.30 Fiji dollars (\$1).
 - **Registration benefits:** land and property may be owned but only by the designated trustees on the religious group’s behalf; an exemption from taxes after approval from the national tax agency, on the condition they operate in a nonprofit and noncompetitive capacity.
- Evaluations
 - The imposition of a mandatory registration order in Fiji is impermissible to RoRB standards.
 - The imposition of a registration fee below the \$100 threshold set by RoRB standards is permissible.
 - The imposition of mandatory registration onto each religious building or place of worship in the country is impermissible to RoRB standards.
 - Informational requirements requested by the government are permissible to RoRB standards in their present version.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Fiji as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity

- **Hieronymy:** the importation of religious materials or devotional items into Fiji is permitted without restriction, both for personal and propagational use.
- **Religious meetings and gatherings:** permits are required for any public meeting on public property organised by religious groups, outside of regular religious services and houses of worship.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Fiji's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Fiji to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Hindus:** there have been many cases of vandalism of Hindu temples.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration and there exists little to no procedures in place for existential recognition.
- Ambiguity as to the registration process remains for new religious groups, particularly those whom do not hold land or property.
- The registration fee is minute.
- The rule of mandatory registration violates the Bielefeldt provision and automatically classifies Fiji as restrictive.
- Reports of numerous cases of vandalism against Hindu temples is regarded as caused by a lack of protected recognised status for some minority communities and the government's inability to ensure such protections are respected by citizens.

Positive elements

- Nil.

Recommendations

- Remove existent restrictions and clarify ambiguous policies in order to reach the classification Receptive.
- Set up provisions to protect and recognise at multiple levels both traditional groups and NRMs including both existential recognition and legal registration.
- Establish a recognition agency independent of government in order to be classified Dynamic.
- Revoke secondary procedures involved in the registration process.

Restriction tools implemented

- Ambiguity exists in the legislation for religious groups without land.
- Mandatory registration for religious groups.
- Unstructure exists in the system which causes lack of provision for existential recognition.

History of RoRB classification

- Fiji has been classified Restrictive in the SRR since the first iteration of the RoRB Index in 2021.

Finland, Republic of — Receptive

RoRB and national identity

- The Constitution of Finland makes an explicit claim to freedom of religion or belief, a right the government broadly upholds in practice.
- The Republic of Finland is a secular state.
- However, state privilege is extended to both the Finnish Orthodox Church (Eastern Orthodoxy) and the Evangelical Lutheran Church of Finland (Lutheranism).
- The Constitution bans discrimination based on religion “without an acceptable reason.” It stipulates freedom of religion and conscience, including the right to profess and practice a religion, to express one’s convictions, and to be a member or decline to be a member of a religious community. It states no one is under the obligation to participate in the practice of a religion.
- The Constitution cites the ELC, the only religious group it mentions, stating that “provisions on the organisation and administration [of the ELC] are laid down in the Church Act.
- Percolative recognition is in effect in the Åland Islands.

Recognition law

- Structures and procedures for existential recognition
 - **Recognition benefits:** all citizens who belong to either the ELC or Finnish Orthodox Church pay a church tax, collected together with their income tax payments. Congregations collectively decide the church tax amount, currently set at between 1 to 2 percent of a member’s income. Those who do not want to pay the tax must terminate their ELC or Orthodox congregation membership. Members may terminate their membership by contacting the official congregation or the local government registration office, either electronically or in person. Local parishes have fiscal autonomy to decide how to use funding received from taxes levied on their members. In addition to receiving the church tax, the ELC and Finnish Orthodox Church may also apply for state funds.

- Evaluations
 - It remains unclear whether existential recognition in Finland is available to denominations and groups unaffiliated with the ELC or the Finished Orthodox Church.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not require religious groups to register in order to conduct what RoRB standards classify as “basic religious activities”.
 - **Procedure:** a religious group should register with the Patent and Registration Office.
 - **Alternative procedure:** a registered religious community is a legal entity that may employ persons, purchase property, and make legal claims. A religious group may also acquire legal status by registering as an association with a nonprofit purpose that is not contrary to law or proper behavior.
 - **Legal designation:** religious community is the main designation for religious groups in the country while association is the lesser designation.
 - **Qualifications:** a religious group must have the public practice of religion as its purpose and a set of rules to guide its activities.
 - **Membership quota:** at least 20 members (for a religious community).
 - **Registration benefits:** *the law requires the ELC to maintain public cemeteries using its general allocation from state funds and church taxes and to account for monies used for this purpose. Other religious communities and nonreligious foundations may maintain their own cemeteries. All registered religious communities may own and manage property and hire staff, including appointing clergy. The law authorises the ELC and Finnish Orthodox Church to register births, marriages, and deaths for their members in collaboration with the government Digital and Population Data Services*

Agency. State registrars do this for other persons. Registered religious communities other than the ELC and Finnish Orthodox Church are eligible to apply for state funds in lieu of the church tax. The law states registered religious communities that meet the statutory requirements, including ELC and Orthodox congregations, may apply to receive an annual subsidy from the government budget in proportion to the religious community's percentage of the population. Registered religious groups and nonprofit associations are generally exempt from taxes.

- **Registration rate:** according to the MEC, as of 2019 there were approximately 142 registered religious communities, most of which had multiple congregations.
- **State funding:** Ministry of the Interior and MEC statistics indicated the government allocated 117 million euros (\$132.65 million) to the ELC, compared with 115.6 million euros (\$131.07 million) in 2020, and 2.6 million euros (\$2.95 million) to the Finnish Orthodox Church, compared with 2.58 million euros (\$2.93 million) in 2019. The MEC allotted a total of 824,000 euros (\$934,000) to all other registered religious organizations, equal to the amount allotted in 2020. This sum includes 524,000 euros (\$594,000) distributed across communities in relation to the number of registered members and 300,000 euros (\$340,000) to the Helsinki Jewish Congregation to continue its investments in security at facilities and events following antisemitic incidents. Religious leaders of minority religions indicated concern over the funding allocation. Several Muslim community leaders noted what they said was that a lack of cultural understanding regarding individual registration hurt funding for Muslim communities, while the Catholic Church lobbied for the ability of its members to designate funds for the Church through their taxes, as ELC and Finnish Orthodox Church members are able to do.

- Evaluations

- It is permissible as part of RoRB standards that a stipulatory registration policy is implemented as long as stipulations do not contravene “basic religious activity”.

- The registration rate is a good signal that procedures are not too onerous.
- The imposition of a membership quota onto religious groups is impermissible to RoRB standards.
- Purchasing property for religious services should not be benefit of registration as it is considered as “basic religious activity” that therefore should not need registration according to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Multiformism:** persons may belong to more than one religious community.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Finland is permitted without restriction, both for personal and propagational use.
 - **Slaughtering law:** the law requires that animals be stunned prior to slaughter or be stunned and killed simultaneously if done pursuant to religious practice. On December 17, the European Union Court of Justice ruled EU member states may impose a requirement that animals be stunned prior to slaughter and that such a requirement does not infringe on the rights of religious groups.
- Penal code
 - **Criticism of religion:** the law criminalises the “breach of the sanctity of religion,” which includes “blaspheming against God,” publicly defaming or desecrating to offend something a religious community holds sacred, and disturbing worship or funeral ceremonies. Violators are subject to fines or imprisonment of up to six months. Authorities have occasionally applied the law, most recently in 2019.

- Facilitation of religion or belief
 - **Ombudsmanship:** the Parliamentary Ombudsman was established by the Constitution of 1919. *Partly because of the prosecutorial powers, the office enjoys considerable respect and the Ombudsman's legal opinions are usually strictly followed, carrying a lot of weight in the absence of a court precedent.* There are ombudspersons specialising in gender equality, children's welfare, protection against discrimination, and consumer protection.

Social dimensions of RoRB

- **Minorities:** far-right hate speech and incidents of vandalism directed at the Jewish and Muslim communities are ongoing concerns.

Overview

- A degree of state privilege is afforded to the Evangelical Lutheran Church (ELC) due to that being the dominant religion and the only denomination mentioned in the country's constitution; however, this degree of state privilege is not considered to translate to major violations of religious freedom.
- There exists procedures for recognition of a religious community or as a nonprofit association.
- Recognition and registration are amalgamated rather than ideally differentiated.
- Forced donation to the ELC being contingent for membership violates religious freedoms.
- Ongoing increases in far-right hate speech and incidents of vandalism against Jews and Muslims demonstrates the need for reaffirmation of these communities' recognised validity and that the Finnish recognition system needs wider authority to ensure it communicates this message of acceptance of diversity to the public.

Positive elements

- Multiformism is accounted for in the legislation.

- Provisions have been put in place to protect religious communities against hate speech and the incitement of violence against religious minorities.

Recommendations

- Differentiate between existential recognition and legal registration.
- Remove some minor issues of inequality within the recognition system.
- Revoke the membership quota and policy of non-recognition.
- To be classified Dynamic, a recognition agency independent of government would need to be established.

Restriction tools implemented

- Forced donation to the ELC.
- Stipulatory registration.

History of RoRB classification

- Finland has been classified Receptive in the SRR since the first iteration of the RoRB Index in 2021.

French Republic (including Guadeloupe, French Guiana, French Polynesia, Martinique, Réunion, Mayotte) — Restrictive

RoRB and national identity

- The French Constitution makes an explicit claim to freedom of religion or belief, a right the government generally upholds in practice though with some infractions.
- The French Republic is a secular state.
- France maintains the policy of *laïcité* (secularism), whereby religion and state affairs are strictly separated.
- Alsace-Moselle: a historical accords in this eastern part of France recognises four religions as the official religions: Judaism, Catholicism, Lutheranism and Calvinism. This means that the French of *laïcité* for separation of church and state does not apply in this region. *The law separating religion and state does not apply in three classes of territories. Because Alsace-Lorraine (currently comprising the departments of Haut-Rhin, Bas-Rhin, and la Moselle and known as Alsace-Moselle) was part of Germany when the law was enacted, Catholics, Lutherans, Calvinists, and Jews there may choose to allocate a portion of their income tax to their religious group. Pastors, priests, and rabbis of these four recognised faiths in Alsace-Moselle receive a salary from the Interior Ministry, and the country's President, with the agreement of the Holy See, appoints the Catholic bishops of Metz and Strasbourg. The Prime Minister appoints the Chief Rabbi and the presidents of the Jewish and Protestant consistories (the administrative governance bodies of these groups) in Alsace Moselle, and the Interior Minister appoints ministers of the three Christian churches (Catholic, Lutheran, and Protestant Reformed Church of Alsace and Lorraine) in the region. Local governments in the region may also provide financial support for constructing religious buildings. The Overseas Department of French Guiana, which is governed under 19th century colonial laws, may provide subsidies to the Catholic Church. Other overseas departments and overseas territories, which include island territories in the Caribbean and the Atlantic, Pacific, and Indian Oceans, and several sub-Antarctic islands, may also provide funding for religious*

groups. This provision also applies to the portion of Antarctica the government claims as an overseas territory.

- The government maintains relationships with organisations representing the country's three major religions, Christianity, Islam, and Judaism.
- Non-percolative recognition is in effect for the overseas collectivities of Saint Barthélemy, Saint Martin, Saint Pierre and Miquelon, and Wallis and Futuna and also in the *sui generis* collectivity New Caledonia all of which are classified as receptive.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in France.
 - **Excessive authority:** the MIVILUDES has excessive authority to designate religions as 'cults'.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in France demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not require religious groups to register in order for them to conduct what RoRB standards classify as "basic religious activities". Existential recognition and legal registration are amalgamated in France as the result of registration is described as "official recognition".
 - **Procedure:** cultural associations may be declared using an online form through the government's public administration website. Cultural associations, even if

associated with religious groups, may operate without applying for government recognition.

- **Provincialisation of procedures for tax-exempt status:** religious groups must apply at the local prefecture (the administrative body representing the central government in each department) for recognition as an association of worship and tax-exempt status. Once granted, the association may use the tax-exempt status nationwide.
- **Informational requirements:** the association must provide to the prefecture its estimated budget for the year, annual accounts for the previous three years or since the association's creation, whichever is shorter, a written justification of eligibility for the status, and the number of members of the association.
- **Qualifications:** (as an association of worship) the group's sole purpose must be the practice of religion, which may include liturgical services and practices, religious training, and the construction of buildings serving the religious group. The association must also engage in public worship and respect public order. Among excluded activities are those that are purely cultural, social, or humanitarian in nature.
- **Membership quota:** (in Paris) an association must have at least 25 members.
- **Registration benefits:** the government does not tax associations of worship on donations they receive.
- **Denial of registration:** if the prefecture determines an association is not in conformity with its tax-exempt status, however, the government may change that status and require the association to pay taxes at a rate of 60 percent on past, as well as future, donations until it regains tax-exempt status.
- **Legal designations:** religious groups may be categorised under the following two designations: associations of worship (tax exempt) and cultural associations (not tax exempt). Religious groups may register under both categories for conducting different types of activities. For example, Catholics perform religious activities through their associations of worship and operate schools through their cultural associations. An association of worship may

organise only religious activities. Although not tax-exempt, a cultural association may engage in for-profit as well as nonprofit activity and receive government subsidies for its cultural and educational operations.

- **Registration benefits:** official recognition from the state and tax-exempt status.
- **Monitorial requirements:** both kinds of religious groups are subject to fiscal oversight by the state.
- **Registration rate:** according to the Ministry of Interior, 109 Protestant, 100 Catholic, 50 Jehovah's Witness, 30 Muslim, and 15 Jewish associations have tax-exempt status. The number of cultural associations, many of which are not associated with religious groups, is in the thousands and changes frequently.

- Evaluations

- The implementation of a stipulatory registration policy in France is permissible according to RoRB standards as long stipulations made do not interfere with “basic religious activities” meaning that stipulations are not made that registration is a prerequisite to the free or legal conduct of activities classified “basic” in RoRB standards.
- The qualifications for religious groups as part of registration procedures are based on a narrow conception of religion and may therefore be interpreted as onerous and exclusionary.
- The provincialisation of tax-exempt status applications is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- The law states, “Detained persons have the right to freedom of opinion, conscience, and religion. They may practice the religion of their choice...without other limits than those imposed by the security needs and good order of the institution.”

- Communal activity

- **Foreign missionary activity:** *missionaries from countries not exempt from visa requirements must obtain a three-month tourist visa before traveling to the country. All missionaries from nonexempt countries wishing to remain longer than 90 days must obtain long duration visas before entering the country. Upon arrival, missionaries must provide a letter from their sponsoring religious group to apply to the local prefecture for a temporary residence card.*
- **Hierony:** the importation of religious materials or devotional items into Metropolitan France and Overseas France is permitted without restriction, both for personal and propagational use.
 - Although the government holds a hostile stance on the Church of Scientology, having designated the group as a “cult” in the past, the ability for the group to import its religious materials into the country does not seem to be effected.
- **Places of worship:** *by law, the government may not directly finance religious groups to build new places of worship. The government may, however, provide loan guarantees or lease property to groups at advantageous rates. The law also exempts places of worship from property taxes. The state owns and is responsible for the upkeep of most places of worship, primarily Catholic, built before 1905. The government may fund cultural associations with a religious connection.*
- Penal code
 - **Antisemitism:** holocaust denial is illegal.
 - **Counterterrorism:** *counterterrorism legislation grants prefects in each department the authority to close a place of worship for a maximum of six months if they find that comments, writings, or activities in the place of worship “provoke violence, hatred or discrimination or the commission of acts of terrorism or praise such acts of terrorism.” The management of the place of worship has 48 hours to appeal the closure decision to an administrative*

court. A place of worship that has been closed may remain closed beyond the six-month maximum if it does not replace its chief cleric and/or management. Noncompliance with a closure decision carries a six-month prison sentence and a fine of 7,500 euros (\$9,200). On December 17, parliament voted for the extension of the legislation until the end of July 2021.

- **Hate speech:** anti-defamation laws penalize religiously motivated abuse.
- **Religious attire:** *the law prohibits agents of the administration, public services, and companies or associations carrying out public services from demonstrating their religion through visible signs of religious affiliation, such as the Islamic headscarf, Jewish skullcap, Sikh turban, or Christian cross. The prohibition applies during working hours and at the place of employment. The law prohibits covering one's face in public places, including public transportation, government buildings, and other public spaces, such as restaurants and movie theatres. If police encounter a person in a public space wearing a face covering such as a mask or burqa, they are legally required to ask the individual to remove it to verify the individual's identity. According to the law, police officials may not remove it themselves. If an individual refuses to remove the garment, police may take the person to the local police station to verify his or her identity. Police may not question or hold an individual for more than four hours. Refusing a police instruction to remove a face-covering garment carries a maximum fine of 150 euros (\$180) or attendance at a citizenship course. Individuals who coerce another person to cover his or her face on account of gender by threat, violence, force, or abuse of power or authority are subject to a fine of up to 30,000 euros (\$36,800) and may receive a sentence of up to one year in prison. The fine and sentence are doubled if the person coerced is a minor.*
- Facilitation of religion or belief

- **Ombudsmanship:** the Defender of Rights is the current title of the ombudsperson in France, a position held by Claire Hédon since 2020.

Social dimensions of RoRB

- **Jehovah's Witnesses:** *contrary to the previous year, Jehovah's Witness officials did not report any cases in which authorities interfered with proselytising during the year.*
- **Scientologists:** *under the law, the Church of Scientology has the status of a secular and not a religious association. Parliamentary reports (most recently in 1996) have labelled Scientology as a "cult," and multiple Scientology officials have been convicted of crimes in the country.*

Overview

- The French government maintains relations with organisations representing Christianity, Islam and Judaism; overseas department and other French territories do not always follow the philosophy of *laïcité*.
- There are two categories associations of worship and cultural associations; these two categories can be considered as two forms of legal registration; it does not seem currently that there exists procedures for existential recognition.
- Associations of worship are strictly for conduct of religious practices while cultural associations are for conduct of both nonprofit and for profit activities; associations of worship are religious while cultural associations can be either religious or secular.
- A relatively low membership quota exists in the city of Paris.
- NRMs such as Scientology continue to face both social and governmental discrimination.

Positive elements

- Provisions have been put in place to deal with the ongoing issue of terrorism.

Recommendations

- Ensure that the French government's approach is to facilitate developments and religion and philosophy.
- Establish a recognition agency independent of government for the ensuring that existential recognition is provided for; this should allow France to be classified as dynamic.
- Provisions need to be put in place to ensure existential recognition is bestowed.

Restriction tools implemented

- Legislation exerts limits on religious clothing that covers the face.
- Membership quota in the capital, though relatively low.
- Retributions exist for non-compliance with the legislation on religious clothing.
- Stipulatory registration.
- Weaponisation of the word cult.

History of RoRB classification

- France was originally classified Receptive in the first iteration of the RoRB Index in 2021 but has been reclassified as Restrictive in the 2022 iteration of the RoRB Index.

Gabonese Republic — Restrictive

RoRB and national identity

- The Constitution of Gabon makes an explicit claim to freedom of religion or belief, a right that is generally upheld in practice but with some infractions by the government.
- The Gabonese Republic is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Gabon.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Gabon demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all associations, including religious groups, register with it in order to conduct what RoRB standards classify as “basic religious activities”.
 - **Procedure:** religious groups must submit a registration application to the Ministry of Interior (MOI). The MOI maintains an official registry of religious groups.
 - **Informational requirements:** its founding statutes and internal rules, a letter attesting to publication of these documents in the applicable local administrative bulletin, a formal letter of request for registration addressed to the

MOI, a property lease, the police records of the group's leaders, and the group's bank statements.

- **Qualifications:** the MOI must be provided proof of nonprofit status to receive exemptions from local taxes and customs duties on imports.
- **Registration benefits:** eligible for exemptions from fees for land use and construction permits.
- **Registration fee:** 10,000 CFA francs (\$19).
- **Denial of registration:** in 2018, the government denied more than 100 applications for registration of religious groups; the government stated that the reasons were often related to documentation, as well as an increase in individuals seeking to use religious cover to scam individuals; ministry officials described the religious groups it rejected as often "one-man operations," practicing a mixture of Christianity and traditional animist beliefs.
- **Deregistration:** the constitution stipulates religious communities whose activities are contrary to laws of the country or promote conflict among ethnic groups may be banned.

- Evaluations

- The implementation of a mandatory registration order on religious groups in Gabon is impermissible for RoRB standards.
- The mass denial of registration that occurred in 2018 set a precedent for the Gabonese government as possessing nefarious intent to exclude groups affiliating with religions or denominations that it does not favour.
- Some informational requirements requested seem excessive and must be monitored for misuse to exclude groups unfavoured.
- The implementation of a registration fee under the \$100 threshold is permissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Gabon as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Gabon is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Gabon's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Gabon to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Minorities**: some heterodox religious groups reportedly have difficulty obtaining registration from the government.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; there does not exist procedures for existential recognition.
- There exists an appropriate administration fee.
- The rule of mandatory registration violates the Bielefeldt provision.

Positive elements

- Nil.

Recommendations

- Establish procedures so that existential recognition may be bestowed and then differentiated from legal registration.
- Rectification of the unstructuredness and the ambiguity in the legislation.
- Revoke the mandatory registration order, the excessive informational requirements and stop the misuse of deregistration against religious groups unfavoured by the government.

Restriction tools implemented

- Ambiguity exists in the legislation.
- Mandatory registration for religious groups.
- There exists a degree of ambiguity in the language of the legislation that could be used against religious groups.
- Unstructure exists in the system.

History of RoRB classification

- Gabon has been classified Restrictive in the SRR since the first iteration of the RoRB Index in 2021.

Gambia, Republic of The — Restrictive

RoRB and national identity

- The Constitution of The Gambia is an explicit claim to freedom of religion or belief, a right the government generally upholds in practice but with some infractions.
- The Republic of The Gambia is a secular state according to the Barrow government in which faiths may practice freely.
- The 2019 draft constitution, which did not attain legislative approval, omitted references to the country as secular, prompting concern among civil society.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in The Gambia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in The Gambia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** although there are no formal procedures set out for the registration of religious groups (non-registration), the mandate that all organisations that provide social services — which is often a central function of religious institutions — must register with the government essentially institutes a mandatory registration policy for

religious groups. There is no distinction made between secular and faith-based NGOs.

- **Procedure:** a registration application must be sent to the NGO Affairs Agency and a separate registration application must also be sent to the Attorney General's Chambers under the Companies Act.
 - **Legal designation:** religious groups are classified under the designations non-governmental organisation (NGO) and charity in the law.
 - **Qualifications:** the organisation must have a boards of directors of at least seven members who are responsible for policy and administrative decisions, including internal control (**membership quota, possibly via a signature quota**).
 - **Monitorial requirements:** the NGO decree requires that all NGOs submit to the NGO Affairs Agency a detailed annual work program and budget, a detailed annual report highlighting progress on activities during the year, work plans for the following year, and financial statements audited by state-approved auditors. The government has stated such submissions help the NGO Affairs Agency monitor NGO activities in the country.
 - The Ministry of Lands and Regional Affairs oversees the portfolio of religious affairs.
-
- Evaluations
 - The imposition of a mandatory registration order onto religious groups in the country
 - A lack of distinction is made during registration procedures between secular NGOs and BBOs.
 - The monitorial requirement in the form of submitting an annual work program to the NGO Affairs Agency is permissible to RoRB standards as long as the procedure is not misused to exclude unfavoured religious groups; however, the procedure would ideally be dealt with by a recognition agency that could tailor its review to BBOs rather than secular organisations as is the case for the NGO Affairs Agency at present.

- The qualification of having at least seven board members is impermissible to RoRB standards as this in effect acts as an indirect membership quota.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in The Gambia as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into The Gambia is permitted without restriction only for Sunni Muslims groups, both for personal and propagational use. However, non-Sunni groups are expected to obtain preapproval from the government for the importation of religious materials. It is likely that any Ahmadi religious literature will be denied importation due to the government's denouncement of that religious denomination. Groups seeking preapproval must consult The Gambia Revenue Authority.
 - **Non-Sunni Muslims:** in practice, non-Sunni Islamic groups experience discrimination. Ahmadiyya Muslims have been publicly denounced as non-Muslims by the quasi-governmental Supreme Islamic Council, and a 2015 fatwa by the council denied Ahmadiyya burial rights in Muslim ceremonies.
- Penal code
 - There is insufficient information about The Gambia's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in The Gambia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in The Gambia for this First Edition of *Recognition of Religion or Belief*.

Overview

- There exists no state provisions for existential recognition nor legal registration in the country which only maintains the hegemony of a single group.
- Ambiguity as to the registration for religious groups specifically.
- The secularity of the country is dubious; it is likely that the country is run as an Islamic republic.
- The widespread discrimination against non-Sunni groups is put down partly due to a lack of legal provisions and existential recognised statuses for minorities.
- The country has been classified ambiguous due to the distinct lack of a recognition which is causing ongoing systematic restrictions that inhibit religious activity.

Positive elements

- Nil.

Recommendations

- Establish a recognition system that has capacity to bestow both existential recognition and legal registration in differentiation.
- Establish a recognition agency to manage the recognition system; the more independent this agency is from the government the more dynamic the country will become because its system and agency for recognition will not suffer from politicisation.

- Reduce discrimination by educating the public about the importance of religious and belief diversity and promote religious education in schools of all different kinds of communities of belief.
- Revoke the imposed membership quota and signature quota as well as the extensive monitorial requirements.

Restriction tools implemented

- Ambiguity in the legislation is widespread.
- Mandatory registration for NGOs.
- There doesn't exist a recognition system.
- Unstructure is widespread.

History of RoRB classification

- The Gambia was originally classified as Ambiguous in the RoRB Index of 2021; however, with the 2022 RoRB Index attempting to reduce the use of the Ambiguous classification, The Gambia is moved downwards to Restrictive classification.

Georgia — Restrictive

RoRB and national identity

- The Georgian Constitution makes an explicit claim to freedom of religion or belief, a claim the government generally upholds but with some infractions.
- Georgia is a secular state.
- However, the Georgian Orthodox Church (Eastern Orthodoxy) is bestowed with state privilege.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Georgia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Georgia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct what RoRB standards describe as “basic religious activities”.
 - **Legal designations:** Legal Entity of Public Law (LEPL) and non-profit organisation are the two legal designations used for religious groups in Georgian law depending on how the group registers. The National Agency of the Public Registry (NAPR) deals with religious registration and confers both LEPL status and non-profit status depending on a religious

group's eligibility. The civil code defines the activities and rights of denominations registered under LEPL status.

- **Procedure for LEPL status:** a religious group seeking LEPL status must complete and send a registration application to the government.

- **Qualifications:** the group must have historic ties to the country and recognition from the Council of Europe member states as a religious group.

- **Informational requirements:** information regarding its objectives and procedures and a list of its founders and governing body.

- **Procedure for non-profit status:** religious groups should send an application to the NAPR specifying their intention to be registered as a non-profit organisation in the country. This type of registration as non-profit organisation does not require groups to demonstrate their historic ties to the country nor does it require recognition by the Council of Europe.

- **Informational requirements:** information on their objectives, governing procedures, and names of founders and members of their governing body.

- **Registration benefits:** legal recognition when conducting activities, partial tax exemptions, and the right to own property and open bank accounts. The tax code does not consider religious activities to be economic activities, and grants registered religious groups partial tax exemptions for donations.

- **Unregistration:** unregistered religious groups may conduct religious activities but do not receive the legal status or benefits conferred on registered groups.

- Evaluations

- The implementation of a stipulatory registration policy in Georgia is permissible according to RoRB standards as long stipulations made do not interfere with “basic religious activities” meaning that stipulations are not made that registration is a prerequisite to the free or legal conduct of activities classified “basic” in RoRB standards.

- The necessary qualifications that a religious groups needs to possess are impermissible to RoRB standards, namely that the group need have historic ties to the country and having received prior recognition from the Council of Europe as a religious group.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Georgia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Georgia is permitted without restriction, both for personal and propagational use.
 - However, the FedEx Cross Boarder global list includes “political material” in the series of items prohibited from import into Georgia.
 - **Property and restitution issues:** *on April 30, the Constitutional Court agreed to hear a case brought by nine religious groups alleging that the GOC’s exclusive property tax exemption on land used for noneconomic purposes violated constitutional guarantees of equality before the law. The court ruled in 2020 the plaintiffs’ case had merit and that it would accept it for substantive consideration. On December 28, the Constitutional Court combined this case with two other cases submitted by TDI during the year. TDI’s first case, submitted to the Constitutional Court in April on behalf of nine religious associations, disputed the constitutionality of import tax regulations that allowed the GOC to import religious items free of duty while requiring all other religious groups to pay tax on them. On June 23, the court partially accepted the constitutional claim of the nine religious associations for consideration on the merits. In the second case, submitted in July, TDI challenged the constitutionality of the law prohibiting*

religious organizations, other than the GOC, from regaining full legal ownership of property that was seized by the Soviet regime and currently under state ownership. At year's end, the Constitutional Court had not ruled on whether it would hear another case brought by nine religious organizations, Christian and Muslim, challenging restrictions on the rights of religious organizations other than the GOC to purchase or exchange state-owned property. The court heard arguments on the case in early 2020.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Georgia's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Public Defender is established in Georgia as a national human rights institution and was established as an office in 1997. In addition to promoting, protecting and leading investigations into the cases of human rights violation, the office conducts human rights education.
 - **State funding:** *during the year, the government directly allocated from the state budget 25 million lari (\$8.13 million) to the GOC and SARI reported it allocated 3.5 million lari (\$1.14 million) to the four other eligible religious communities to provide partial compensation for damage caused during the Soviet regime. The 3.5 million lari (\$1.14 million) was distributed as follows: 2.2 million lari (\$715,000) to the Muslim community, represented by AMAG; 400,000 lari (\$130,000) to the Roman Catholic Church; 600,000 lari (\$195,000) to the Armenian Apostolic Church; and 300,000 lari (\$97,600) to the Jewish community. These were the same as the 2020 amounts. SARI again said the remaining one million lari (\$325,000) would be distributed among the religious communities "later." SARI's position was that the payments were of "partial and of symbolic character," and that the government continued to take into account levels of damage and "present day negative conditions" of religious groups in*

determining compensation. NGOs and religious groups continued to criticise the exclusion of other religious groups, including the Evangelical Lutheran Church, from the legislation designating the five groups eligible to receive compensation, and they questioned the criteria the government used to select which groups received compensation.

Social dimensions of RoRB

- **Muslims:** *Muslim community members continued to state there was a lack of transparency in government decisions regarding construction of mosques. The Muslim community continued to dispute the government's ownership, as a legacy of the Soviet era, of mosques in Kvemo Kartli, Adigeni, and Adjara. The government also said that, in some cases, the existing mosques were former Georgian Orthodox houses of worship converted during the Ottoman and Persian empires or were constructed during those periods on land where Georgian Orthodox houses of worship had once stood. AMAG reported that when the government transferred state-owned mosques, it only did so for AMAG to use for a 49-year or unlimited period; the government did not transfer full ownership of the property or land.*

Overview

- Registration for groups based on belief is stipulatory rather than mandatory.
- The country's registration and recognition systems look to be amalgamated rather than ideally differentiated; primary focus is placed on legal registration rather than existential recognition.
- Not receiving the benefits of registration by opting not to register should not in turn impede on religious and belief activities; instances in which this occurs is a violation of religious freedoms.
- The requirement for a group seeking recognition to hold historical ties with the country is dubious in its intent as is need for prior recognition from the Council of Europe.
- Dubious is that the civil code only covers entities regarded under LEPL status; this suggests that non-registered entities and

activities may not receive the same defined provisions as those with LEPL status.

- Political instabilities have likely not helped freedoms in the two de-facto states of Abkhazia and South Ossetia, thus highlighting the fact that political circumstances almost always come to effect religious freedom despite the principle that such freedoms should remain ectopolitical.

Positive elements

- Nil.

Recommendations

- Remove ambiguity from the legislation and also revoke subjective requirements.
- Revoke instances of partial recognition to ensure equality within the recognition system.
- Revoke the vertical structure of the registration system.

Restriction tools implemented

- Ambiguity remains as to the legal rights of unregistered groups and activities which should receive protection without being contingent on registration.
- Stipulatory registration.
- Subjective requirements, namely “historic ties” gives a wide breadth for the government to deny registration.

History of RoRB classification

- Georgia has been classified Restrictive in the SRR since the first iteration of the RoRB Index in 2021.

Germany, Federal Republic of — Restrictive

RoRB and national identity

- The Constitution of Germany makes an explicit claim to freedom of religion or belief, a claim that is generally upheld by the government in practice but is sometimes infringed upon.
- The Federal Republic of Germany is a secular state.
- State privilege is extended by the government to Calvinism, Catholicism and Lutheranism.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Germany.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Germany demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct what RoRB standards described as “basic religious activities”. Religious groups are only required to register if they seek tax-exempt status.
 - **Provincial registration:** religious registration in Germany is conducted at the state rather than the federal level meaning each state has its own set of criteria for how it

grants PLC status to religious groups however there are some general themes.

- **Legal designations:** there are two designations ascribed to religious groups in Germany depending on various characteristics of the group and whether they qualify for such statuses; the lesser status is non-profit status and the higher status is public law corporation (or PLC status).
- **Procedure for PLC status:** a registration application for PLC status should be submitted to state-level authorities. A special partnership exists between the states and religious groups with PLC status, as outlined in the constitution.
 - **Qualifications:** an assurance of the group's permanence, size (possibility of the imposition of a **membership quota**), and respect for the constitutional order and fundamental rights of individuals.
 - **PLC status benefits:** *any religious group may request PLC status, which, if granted, entitles the group to levy tithes on members (averaging 9 percent of income tax) that each state collects on its behalf, separately from income taxes, but through the state's tax collection process. PLCs pay fees to the government for the tithing service, but not all groups with PLC status utilise the service. PLC status also allows for tax exemptions (larger than those given to groups with nonprofit status), representation on supervisory boards of public television and radio stations, and the right to special labor regulations, for example, requiring employees in hospitals, kindergartens, or NGOs run by a religious group to be members of that group; state governments subsidise institutions with PLC status providing public services, such as religious schools and hospitals.*
- **Procedure for non-profit status:** a registration application should be submitted to the state-level authorities which will review registration submissions and do routinely grant the tax-exempt status/non-profit status.
 - **Informational requirements:** provision of evidence through their statutes, history, and activities that they are a religious group.
- **Registration rate:** an estimated 180 religious groups have PLC status, including Catholics, the EKD, Baha'is, Baptists, Christian Scientists, Jehovah's Witnesses, Jews,

Mennonites, Methodists, the Church of Jesus Christ, the Salvation Army, and Seventh-day Adventists. Ahmadi Muslim groups have PLC status in the states of Hesse and Hamburg; no other Muslim communities have PLC status. The Church of Scientology does not have PLC or nonprofit status in any state.

- **Denial of registration:** decisions are subject to judicial review if challenged by the religious group.

- Evaluations

- The imposition of a stipulatory registration policy is permissible to RoRB standards as long as stipulations made do not prevent activities classified as “basic religious activities” from taking place without registration.
- Conducting registration procedures at the provincial rather than federal level is impermissible to RoRB standards because this creates a onerous registration procedure for religious groups and often causes some groups to be registered in some states but not in others; RoRB standards state that registration should be dealt with centrally and should hold nationwide affect.
- There exists a vertical system of registration due to the PLC status and lesser legal statuses which is an impermissible situation to RoRB standards.
- Some qualifications and informational requirements requested as part of both registration procedures are impermissible to RoRB standards due to being excessive and causing onerous procedures for religious groups to have to undergo.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Germany as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity

- **Hieronymy:** the importation of religious materials or devotional items into Germany is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Germany's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** while there are various sectoral ombudspersons in Germany, the Parliamentary Petitions Committee is a federal service that acts as the ombudsman especially on cases of potential human rights violation.

Social dimensions of RoRB

- **Jews:** Antisemitism in Germany is seen to be on the rise. In October 2020, the head of the Federal Office for the Protection of the Constitution warned of increasing verbal and physical attacks against Jewish individuals and organisations. In December, an assailant who killed two people in an assault a synagogue in the city of Halle in 2019 received a life sentence.
- **Muslims:** Islamophobia remains a concern. German police recorded 632 politically motivated attacks against Muslim individuals and institutions in the first three quarters of 2020.
 - *The government continued the German Islam Conference dialogue with Muslims in the country. The dialogue's stated aim was to improve the religious and social participation of the Muslim population, give greater recognition to Muslims' contributions to society, and – in the absence of a central organization representing all Muslims in the country – further develop partnerships between the government and Muslim organizations. Among the specific outcomes of the dialogue were the April publication of a large study on Muslim life in the country that included new official estimates of the size of the Muslim population, the first in years; a May conference on young*

Muslims' perspectives on issues affecting Islam in the country; the establishment of an Islamic seminary in Osnabrueck in June, including government funding for it; and support for efforts to inform the Muslim community about the COVID-19 pandemic throughout the year.

Overview

- Recognition and registration are amalgamated; the system revolves around attaining PLC status which corresponds to legal registration with some additional fairly unique benefits; PLC status is bestowed to religious organisations; the orientations of these vary across many denominations, primarily of Abrahamic religions.
- The registration process centres on provincial bestowal rather than national; this segmented structure for procedures is problematic because it suggests that recognition and registration are not bestowed universally throughout the nation.
- Ongoing issues of antisemitism and Islamophobia demonstrate issue with recognition in the country and a lack of awareness on the importance of diversity.

Positive elements

- A series of benefits exist to support religious groups as long as they have PLC status.

Recommendations

- Establish provisions to bestow existential recognition in addition to the existent legal registration available.
- Revoke the provincially segmented structure of the recognition system to ensure universal bestowal; clarification on this aspect of the system and alterations made to it will raise Germany to receptive status.
- Revoke the provincialisation procedure in the registration system and its vertical structure.

- To achieve Dynamic status, a recognition agency would need to be established that is independent of government.

Restriction tools implemented

- Segmented structure of the recognition system.
- Stipulatory registration.

History of RoRB classification

- Germany has been classified Restrictive in the SRR since the first iteration of the RoRB Index in 2021.

Ghana, Republic of — Apathetic

RoRB and national identity

- The Constitution of Ghana makes an explicit claim to freedom of religion or belief and this right is generally upheld in practice by the government.
- The Republic of Ghana is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Ghana.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Ghana demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct what RoRB standards describe as “basic religious activities.” Existential recognition and legal registration are amalgamated which is reflected in the fact that a completed registration is described as resulting in “formal government recognition”. Registration also results in a religious group obtaining legal entity status. There is no prescribed penalty for unregistration.
 - **Procedure:** religious groups must submit a registration form to the Office of the Registrar General within the Ministry of Justice.

- **Legal designation:** religious groups are legally classified as non-governmental organisations as the registration procedure for both secular and religious entities is the same.
 - **Registration benefits:** exempt from paying taxes on nonprofit religious, charitable, and educational activities; required to pay taxes, on a pay-as-earned basis, on for-profit business activities, such as church-run private schools and universities.
 - **Registration fee:** must pay a fee of 270 Ghana cedis (\$45).
 - **Registration rate:** most indigenous religious groups do not register.
- Evaluations
 - The low registration rate for indigenous religious groups is not a positive sign for respecting and valuing registered status in the country.
 - Ghana’s imposition of a stipulatory registration policy is permissible to RoRB standards as long as stipulations made do not impede the performance of “basic religious activities”.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Ghana as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Ghana is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Ghana’s penal code.

- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Ghana to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Minorities:** public schools feature mandatory religious education courses drawing on Christianity and Islam, and Muslim students have allegedly been required to participate in Christian prayer sessions and church services in some publicly funded Christian schools.

Overview

- Freedom of religion or belief is generally upheld by the government despite persistent issues with the country's recognition system.

Positive elements

- Freedom of religion or belief is generally upheld by the government despite persistent issues with the country's recognition system.

Recommendations

- Establish provisions for the existential recognition and legal registration of religious and belief distinct from procedures for secular entities.
- Rid the system of any unstructured elements and make clarifications on elements of religious life that have not been specifically addressed in present legislation.
- Publish the registration fee imposed by the state.
- To become Dynamic, establish a recognition agency independent of government.

Restriction tools implemented

- Stipulatory registration.
- Unstructure exists within the system.

History of RoRB classification

- Ghana was originally classified Ambiguous in the first iteration of the RoRB Index in 2021.
- However, due to efforts to reduce the use of the Ambiguous classification, the RoRB Index of 2022 reclassifies Ghana as Apathetic classification in terms of its RoRB conditions.

Gibraltar — Apathetic

RoRB and national identity

- UK law on religious recognition is not applied in Gibraltar.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Gibraltar.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Gibraltar demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in Gibraltar as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Gibraltar as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity

- **Hieronymy**: the importation of religious materials or devotional items into Gibraltar is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Gibraltar's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: the Gibraltar Public Services Ombudsman is an independent authority that fulfils the function of ombudsperson in the territory.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Gibraltar for this First Edition of *Recognition of Religion or Belief*.

Overview

- Unsure of the existence of a recognition system – perhaps connected to the United Kingdom as a British Overseas Territory.

Restriction tools implemented

- Non-percolative recognition.

History of RoRB classification

- Gibraltar has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Hellenic Republic — Restrictive

RoRB and national identity

- The Greek Constitution makes a partial claim to freedom of religion or belief, a right that is generally upheld by the government in practice.
- The Orthodox Church of Greece is established as the state denomination; the Greek Constitution recognises the Orthodox Church of Greece (Greek Orthodoxy as a branch of Eastern Orthodoxy) as the “prevailing religion”.
- The Constitution also states that freedom of religious conscience is inviolable and provides for freedom of worship under the protection of the law, with some restrictions.

Recognition law

- Structures and procedures for existential recognition
 - **State denomination:** the Orthodox Church of Greece receives government subsidies, and its clergy’s salaries and pensions are paid for by the state.
 - **Official religious public law legal entities:** the Greek Orthodox Church, Jewish community, and Muslim minority of Thrace have long-held status as official religious public law legal entities. The Catholic Church, Anglican Church, two evangelical Christian groups, and the Ethiopian, Coptic, Armenian Apostolic, and Assyrian Orthodox Churches acquired the status of religious legal entities under a 2014 law. The same law also allows groups seeking recognition to become “religious legal entities” under civil law.
 - **Bilateral cooperation agreements:** the 1923 Treaty of Lausanne accords the recognised Muslim minority of Thrace the right to maintain mosques and social and charitable organisations (awqaaf). A 1991 law authorises the government, in consultation with a committee of Muslim leaders, to appoint three muftis in Thrace to 10-year terms of office, which may be extended. The law also allows a regional official to appoint temporary acting muftis until this

committee convenes. The law mandates official muftis in Thrace must request notarised consent from all parties wishing to adjudicate a family matter based on sharia. Absent notarised consent from all parties, family matters fall under the jurisdiction of civil courts. The law also provides for the Ministry of Education and Religious Affairs to assume all operating expenses for the muftiates in Thrace, under the supervision of the Ministry of Finance Directorate General for Fiscal Monitoring.

- **State funding:** *the government announced in a September 10 decree that it would distribute a total of 4.5 million euros (\$5.1 million) to the Orthodox Church of Greece; KIS; waqf administrations overseeing licensed mosques in Thrace, Rhodes, and Kos; and to religious groups with the status of a known religion or religious legal entity. The funds would be distributed in lump sums, offered as nontaxable assistance for addressing the pandemic's negative impact, including reduced income and monetary contributions offered by the faithful to religious leaders and places of worship. The funds, exceeding 1,000 euros (\$1,100) in all cases, would be allocated in proportion to the number of places of worship operated by each group, with a minimum contribution of 1,000 euros per religious group. The government continued to provide direct support to the Greek Orthodox Church, including funding clergy salaries, estimated at 200 million euros (\$226.76 million) annually, the religious and vocational training of clergy, and religious instruction in schools. The government provided the support in accordance with a series of legal agreements with past governments and as compensation for religious property expropriated by the state, according to Greek Orthodox and government officials. The government also provided direct support to the three muftiates in Thrace, including salaries for the three official muftis and for teachers contracted to teach an optional class on Islam in local public schools. The government also paid the salary of the imam of the new Athens public mosque and the salaries of Catholic teachers at the state schools of Tinos and Syros islands.*

- Evaluations

- The state's establishment of a bilateral cooperation agreement for the Muslim community of Thrace is welcomed although it is recommended that this procedure for establishing BCAs be expanded to all religious communities in the country as a means of facilitating religion and belief in Greece.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government doesn't explicitly mandate that religious groups register with it, the fact that a religious group's administration of religious buildings and conducting of charity work is contingent on registration demonstrates that registration is in effect mandatory.
 - **Procedure:** the recognition process requires filing a request with the civil courts, providing documents proving the group has “open rituals and no secret doctrines,” supplying a list of 300 signatory members who do not adhere to other religious groups (**signature quota and restriction of multiformism**), demonstrating there is a leader who is legally in the country and is otherwise qualified, and showing their practices do not pose a threat to public order. Once a civil court recognises a group, it sends a notification to the Secretariat General for Religions. Under the law, all religious officials of known religions and official religious legal entities, including the Greek Orthodox Church, the muftiates of Thrace, and the Jewish communities, must register in the electronic database maintained by the Ministry of Education and Religious Affairs (imposing a **leader registration** makes registration **part-mandatory**).
 - **Secondary procedure:** The law also provides a second method for groups to obtain government recognition: any religious group that has obtained at least one valid permit to operate a place of prayer or worship is considered a “known religion” and thereby acquires legal protection, including a tax exemption for property used for religious purposes. The terms houses or places of prayer or worship are used interchangeably; it is at the

discretion of a religious group to determine its term of preference. Membership requirements for house of prayer permits differ from the requirements for religious legal entities. Local urban planning departments in charge of monitoring and enforcing public health and safety regulations certify that facilities designated to operate as places of worship fulfil the necessary standards. Once a house of worship receives planning approvals, a religious group must submit a description of its basic principles and rituals and a biography of the religious minister or leader to the Ministry of Education and Religious Affairs for final approval. The application for a house of prayer or worship permit requires at least five signatory members of the group. The leaders of a religious group applying for a house of prayer permit must be Greek citizens, EU nationals, or legal residents of the country, and must possess other professional qualifications, including relevant education and experience. A separate permit is required for each physical location.

- **Registration benefits:** a religious group possessing status as a religious legal entity may transfer property and administer houses of prayer or worship, private schools, charitable institutions, and other nonprofit entities. Some religious groups have opted to retain their status as civil society nonprofit associations acquired through court recognition prior to the 2014 law. Under this status, religious groups may operate houses of prayer and benefit from real estate property tax exemptions, but they may face administrative and fiscal difficulties in transferring property and in operating private schools, charitable institutions, and other nonprofit entities. All recognised religious groups are subject to taxation on property used for nonreligious purposes. Property used solely for religious purposes is exempt from taxation, as well as from municipal fees, for groups classified as religious legal entities or “known religions.”
- **Unregistration:** the law allows religious communities without status as legal entities to appear before administrative and civil courts as plaintiffs or defendants.

- Evaluations
 - The implementation of a stipulatory registration policy is permissible to RoRB standards.
 - However, the procedures for registration are onerous and are subjective which makes them vulnerable to misuse by excluding groups that the government does not favour.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Greece as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Greece is permitted without restriction, both for personal and propagational use. The constitutional prohibition of proselytising does not seem to impede the importation of religious goods.
 - The FedEx Cross Border global list states that “antiques” which may include some religious items are prohibited for importation.
 - **House of prayer permits:** *during the year, the government approved seven house-of-prayer permits, four of which were submitted by Muslim religious groups. On February 17 and on July 5, Ministry of Education and Religious Affairs authorities granted house-of-prayer permits to two separate Sunni Muslim religious groups, in central Athens and the district of Marousi, respectively. On March 19, a religious group of Bektashi (Sufi) Muslims in Evros, Thrace, was granted its first house-of-prayer permit. A Muslim religious group based in the district of Peristeri, western Athens, was authorized on April 16 to operate a house of prayer. The remaining permits were granted to a group of evangelical Christians in Glyfada, Athens, on February 10, a group of Pentecostals in Komotini on March 5, and to the*

Ethiopian Orthodox Church of Athens on March 17. On March 23, the government also approved plans for the construction of a new church for evangelical Christians in Porotsani.

- *On June 16, authorities certified the lawful operation of an Old Calendarist Christian church operating in the district of Nea Smyrni in southern Athens. The church was constructed before 1955, at a time when building permits were not required. The certification allowed the church to overcome bureaucratic obstacles, such as not having a building permit, which for years had prevented it from filing petitions for building restoration, repairs, or expansion. Authorities issued another 25 similar certifications involving 13 synagogues throughout the country and 12 Catholic churches.*
- **Proselytism:** *the constitution prohibits “proselytising,” defined by law as “any direct or indirect attempt to intrude on the religious beliefs of a person of a different religious persuasion with the aim of undermining those beliefs through inducement, fraudulent means, or taking advantage of the other person’s inexperience, trust, need, low intellect, or naivete.” This law is rarely enforced.*
- **Religious education:** *the constitution enumerates the goals of public education, including “the development of religious conscience among citizens”.*
- **Religious leadership:** *Greek Orthodox priests and government-appointed muftis and imams in Thrace receive their salaries from the government.*
- **Religious literature:** *it allows prosecutors to seize publications that “offend Christianity” or other “known religions”.*
- **Religious worship:** *the constitution prohibits worship that “disturbs public order or offends moral principles”.*
- **Revocation of house of prayer permits:** *government authorities revoked a total of seven house-of-prayer permits; two, involving a Buddhist center and an evangelical Christian*

house of prayer in Rethymno, Crete, were revoked on June 29 and July 19 respectively, at the request of the groups operating the facilities. According to government authorities, in the other cases, they revoked the permit because the religious groups in charge of the houses of prayer (all Pentecostal Christian) did not respond to government communications, had insufficient space for worship, or lacked a religious leader.

- **State supervision:** *the constitution states ministers of all known religions are subject to the same state supervision and obligations to the state as clergy of the Greek Orthodox Church. It states individuals are not exempt from their obligations to the state or from compliance with the law because of their religious convictions.*
- Penal code
 - **Criticism of religion:** a 2019 amendment to the penal code abolishes articles criminalising malicious blasphemy and religious insults.
 - **Impeding religious gatherings:** *the law provides penalties of up to two years in prison for individuals who maliciously attempt to prevent or who intentionally disrupt a religious gathering for worship or a religious service, and for individuals engaging in “insulting action” inside a church or place of worship.*
- Facilitation of religion or belief
 - **Ombudsmanship:** the Citizen’s Advocate was created in 1998 as an independent authority to fulfil the role of ombudsperson in Greece. There are six assistant advocates for different speciality areas including civil rights, social protection, quality of life, state-citizen relationships, children’s rights and gender equality. The Deputy Ombudsman Kalliopi Spanou is responsible for the function of the office following the resignation of the former Citizen’s Advocate Professor Georgios Kaminis.

Social dimensions of RoRB

- **Atheists:** *on May 7, media reported on a local court that ruled, for the first time, that atheism should be listed among the vulnerability criteria when asylum seekers seek international protection. The court ruling came in the case of a Pakistani man who faced a death sentence in his homeland due to his atheism.*
- **Minorities:** *members of some minority religions face discrimination and legal barriers, such as permit requirements to open houses of worship. Opposition to the construction of an official mosque in Athens for its 200,000 Muslim inhabitants remains substantial. The project proceeded in 2019 and the mosque opened its doors in July, though formal prayer services have yet to begin.*
- **Muslims:** *another group, the Educational, Cultural, Philanthropic and Philathletic Association of Greek Muslims in the Prefecture of Imathia, appealed to the Council of State regarding the Ministry of Education and Religious Affairs' rejection of the group's petition to establish an authorized Muslim house of prayer. Ministerial services rejected the association's petition, contending that the applicants had requested the licensing of a space far exceeding what would be used for prayer and worship. The ministry responded that it had no authority to license facilities for uses other than prayer and worship. The hearing of the appeal at the Council of State took place on April 13, but no ruling was issued by year's end.*
 - *On March 23, the same authorities rejected a petition to establish an authorized Muslim house of prayer filed by a Muslim group in Athens on the grounds that it did not provide certified copies of the passports of the applicants, including the individual who would perform the religious services. The group also failed to submit documentation on the safety of the building, including fire safety and sound insulation.*

Overview

- Greek Orthodox Church (GOC) is the state religion which has special constitutional status.

- Recognition and registration look to be amalgamated rather than ideally differentiated; a system of vertical recognition and partial recognition exists; the former because of the two categories for religious groups – religious group and known religion – while the latter form of recognition emerges in the fact that registration with the government does not equate to the same recognised status as the GOC.
- Members of some minorities continue to face both discrimination and legal barriers.
- Multiformalism is not allowed for.
- The banning of proselytism demonstrates a significant setback for the Greek government's maintenance of high religious freedom standards; proselytism doesn't correspond to fraudulent means of conversion; although this law may be dormant or rarely enforced, its existence cannot be tolerated as part of sustaining high religious freedom standards.

Positive elements

- There is an established system for legal registration despite it possessing some restrictive elements.

Recommendations

- Equalise all provisions by the registration system.
- Establish provisions for existential recognition.
- Revoke dormant laws on proselytism, signature quota, the secondary procedure involved in the registration system and the mandatory registration order.

Restriction tools implemented

- A degree of subjectivity exists within the legislation that doesn't support protection of religious freedoms such as the phrase "known religions."
- Membership quotas are in place.
- Multiformalism is not accounted for.
- Partial recognition is in effect.

- Proselytism is prohibited through distorted state definition of proselytism.
- State religion.
- State supervision of clergy exists.
- Stipulatory registration.
- Vertical recognition is in effect.

History of RoRB classification

- Greece has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Grenada — Apathetic

RoRB and national identity

- The Constitution of Grenada makes an explicit claim to freedom of religion or belief, a claim the government broadly upholds in practice.
- Grenada is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Grenada.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Grenada demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not require that religious groups register with it in order to conduct what RoRB standards classify as “basic religious activities”.
 - **Procedure:** a process of dual registration is established in which the religious group must submit a registration application to both the Corporate Affairs and Intellectual Property Office (CAIPO) and the Inland Revenue Officer within the Ministry of Finance (MOF). An additional requirement of a letter of request should also be submit to the MOF. The attorney general grants final approval and the MOF grants applications for tax exemptions.

- **Legal designation:** religious groups are classified as non-governmental organisations (NGOs) under the law in Grenada.
 - **Informational requirements:** (to be sent to CAIPO) information about the NGO's directors, as well as a description of its general activities and the location of these activities.
 - **Registration benefits:** customs and tax exemptions.
 - **Registration rate:** applications are routinely granted.
- Evaluations
 - A stipulatory registration policy is permissible to RoRB standards as long as no “basic religious activity” is contravened in the course of its implementation.

Law and policy on religion and belief

- Self-identification
 - **Religious attire:** *by law, the government allows religious head coverings of certain types, including the hijab and the Rastafarian head wrap, in photographs for national identity documents, provided the face is clearly visible.*
- Communal activity
 - **Foreign missionary activity:** *as part of the visa process, foreign missionaries must apply to the Ministry of Labor for a work permit costing 500 East Caribbean Dollars (ECD) (\$190) along with an application fee of 100 ECD (\$37); the permit must be renewed annually. To be approved, foreign missionaries must demonstrate prior experience and a registered religious group must sponsor them.*
 - **Hieronymy:** the importation of religious materials or devotional items into Grenada is permitted without restriction, both for personal and propogational use.

- **Missionary activity:** *as part of the visa process, foreign missionaries must apply to the Ministry of Labor for a work permit costing 500 East Caribbean dollars (\$190) along with an application fee of 100 Eastern Caribbean Dollars (\$37); the permit must be renewed annually. To be approved, foreign missionaries must demonstrate prior experience, and a registered religious group must sponsor them.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Grenada's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Grenada to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Grenada for this First Edition of *Recognition of Religion or Belief*.

Overview

- There doesn't exist distinct procedures for religious entities to receive recognition or registration; religious entities are instead amalgamated with NGOs which gives Grenada the classification of ambiguous though it does still retain receptive elements.
- The five-step process of registration seems a little vulnerable to manipulation; requires continued monitoring.
- It is important to note that registration as an NGO does not equate to legal registration as a religious organisation in recognitionist theory.

Positive elements

- Freedom of religion or belief is broadly upheld by the government.

Recommendations

- Establish distinct provisions for religious entities in terms of both their existential recognition and their legal registration apart from secular entities.
- Revoke the multi-registration structure of the present system.
- To become Dynamic, a recognition agency needs to be established that is independent of government.

Restriction tools implemented

- A lack of provisions exist for existential recognition and legal registration as religious entities.
- Stipulatory registration.
- The present process for registration seems excessive as it requires a five different entities to grant approval.
- Unstructure exists in the system.

History of RoRB classification

- Grenada was originally classified Ambiguous in the first iteration of the RoRB Index in 2021.
- However, due to efforts to reduce the use of the Ambiguous classification, the RoRB Index of 2022 reclassifies Grenada as Apathetic in terms of its RoRB conditions.

Guatemala, Republic of — Restrictive

RoRB and national identity

- The Constitution of Guatemala makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice but with some infractions.
- The Republic of Guatemala is a secular state.
- The Constitution of Guatemala extends state privilege to the Catholic Church, particularly focusing on its juridical personality.
- The Constitution protects the rights of indigenous groups to practice their traditions and forms of cultural expression, including religious rites.
- The Constitution provides for freedom of expression and freedom of religion, emphasising, “Every person has right to practice their religion or belief in public within the limits of public order and the respect due to the beliefs of other creeds.”

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** the constitution recognises the distinct legal personality of the Catholic Church through a concordat with the Holy See.
 - **State privilege:** *according to the Guatemalan Inter-religious Dialogue, an interfaith group with representatives of the Catholic Church, evangelical Protestant Churches, the Church of Jesus Christ, Mayan spiritual groups, and Muslim, Buddhist, and Jewish groups, some municipal authorities in rural areas continued to discriminate against non-Catholic groups in processing building permit approvals and in local tax collection.*
- Evaluations
 - The exclusion of bilateral cooperation agreements to only the Holy See is impermissible to RoRB standards; opportunities to

form such agreements should be expanded to all religious communities and denominations.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not explicitly mandate that religious groups register with it, the fact that a "basic religious activity" such as leasing property for conducting religious services is listed as contingent on registration makes the Guatemalan system pseudo-mandatory. Catholic religious groups are exempt from registration to receive benefits tied into registration. The registration process bestows legal entity status onto the group successfully registered.
 - **Procedure:** a filing must be submitted to the Ministry of Government.
 - **Informational requirements:** the group's bylaws, which must reflect an intention to pursue religious objectives, and a list of its initial membership.
 - **Membership quota:** at least 25 members.
 - **Registration benefits:** renting or purchasing property and entering into contracts, and to receive tax-exempt status and tax exemptions for properties used for worship, religious education, and social assistance.
 - **Denial of registration:** the ministry may reject applications if the group does not appear to be devoted to a religious objective, appears intent on undertaking illegal activities, or engages in activities that appear likely to threaten public order.
- Evaluations
 - A stipulatory registration policy is permissible to RoRB standards as long as no "basic religious activity" is contravened in the course of its implementation.
 - The imposition of a membership quota onto religious groups seeking registration is impermissible to RoRB standards.

- The informational requirements of a list of initial members and the subjective necessity for bylaws to pursue “religious objective” are both impermissible to RoRB standards on appropriate informational requirements; this is also connected to the subjective grounds on which a religious group may be denied registration which could be easily misused by the government to exclude groups it does not favour.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Guatemala as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Guatemala is permitted without restriction, both for personal and propagational use.
 - **Missionary activity:** the government requires foreign missionaries to obtain tourist visas, which authorities issue for renewable periods of three months. After renewing their tourist visas once, foreign missionaries may apply for temporary residence for up to two years; the residential permit is renewable.
 - *Missionaries, including some affiliated with the Church of Jesus Christ, continued to report that complicated government procedures required to apply for temporary residence were made even more cumbersome by COVID-19 social distancing measures, especially in-person requirements such as presenting photographs and signing documents. According to Church of Jesus Christ representatives, at the start of the COVID-19 pandemic, many foreign missionaries voluntarily exited the country. Due to the continued prevalence of COVID-19, many missionaries did not return during the year.*

- **Places of worship and religious gatherings:** all religious groups must obtain the permission of the respective municipal authorities for construction and repair of properties and for holding public events, consistent with requirements for non-religious endeavours. The law permits Mayan spiritual groups to conduct religious ceremonies at Mayan historical sites on government-owned property free of charge, with written permission from the Ministry of Culture.
- **Proselytism:** religious groups do not need to register with the government for the purpose of worship or proselytism.
- Penal code
 - **Criticism of religion:** the criminal code penalises with one-month to one-year sentences the interruption of religious celebrations, “offending” a religion, which the law leaves vague, and the desecration of burial sites or human remains; however, charges are seldom filed under these laws.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Guatemala to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Mayan spiritual groups:** *in May, three of the four Mayan spiritual groups associated with COLUSAG withdrew, leaving only one organization, the Consultants and Organizations of Ajq'ijab', in the umbrella organization. According to a former coordinator of COLUSAG, the departures of these groups continued a trend of decreasing relevancy for the committee. The passage of a law on sacred sites, which COLUSAG submitted to Congress in 2009, remained pending. According to a Mayan spiritual leader involved in drafting the bill, if passed, the resulting law would provide legally protected status for Mayan spiritual sites, making it a crime to damage them or remove spiritual objects from them. The law would also establish a national council with legal authority to name holy*

sites and credential Mayan spiritual practitioners for the purposes of granting them access to protected sites.

- **Protestants:** *according to evangelical Protestant groups, non-Catholic religious groups must follow a vaguely defined registration process involving several steps that may take up to two years and cost approximately 10,000 quetzals (\$1,300) to register with the Ministry of Interior to enter into contracts or receive tax-exempt status.*

Overview

- State privilege is granted to the Catholic Church.
- Recognition and registration are amalgamated for all non-Catholic groups rather than ideally differentiated; there is a focus on legal registration centring on achieving tax exempt status; there exists very few if any provisions for existential recognition.
- Partial recognition exists.
- Discrimination against non-Catholic groups exists in the system.
- Informational requirements seem appropriate but will require continued to monitoring to ensure they are not misused or extended further.

Positive elements

- A system of legal registration exists despite its minor issues which highlights the country's receptive status.

Recommendations

- Disestablish partial recognition by equalising and streamlining all recognition statuses including that of the Catholic Church.
- Continue to ensure that politicisation of the recognition system does not take place.
- Re-evaluate the rules surrounding mandatory registration for activities other than worship and proselytism.
- Remove any instances of unstructure by clarifying in legislation areas that remain ambiguous or unaddressed.

- To become dynamic, establish provisions for both existential recognition and legal registration; also, establish a recognition agency to manage the system independent of government.

Restriction tools implemented

- Membership quotas are in place albeit relatively small.
- Partial recognition is in effect.
- State privilege.
- Stipulatory registration although any activity beyond worship and proselytism is mandatory registration.
- Unstructure exists in the system.

History of RoRB classification

- Guatemala was classified Receptive in the SRR during the first edition of the RoRB Index in 2021.
- However, in the RoRB Index of 2022 reclassifies Guatemala as Restrictive in part due to the identification of its registration procedures as pseudo-mandatory.

Guernsey, Bailiwick of — Apathetic

RoRB and national identity

- UK law on religious recognition is applied in the Bailiwick of Guernsey as a British Crown Dependency.
- Anglicanism is the state denomination of the territory.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Guernsey other than for Anglicanism.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Guernsey demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in Guernsey as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Guernsey as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Guernsey is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Guernsey's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is a financial ombudsman on Guernsey but it is likely that any cases of human rights violation in this territory would be investigated by the Parliamentary and Health Service Ombudsman which holds ombudsmanship jurisdiction for England, the three Crown Dependencies and possibly some overseas territories.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Guernsey for this First Edition of *Recognition of Religion or Belief*.

Overview

- Non-existence of a recognition system due to connection to the United Kingdom.

Restriction tools implemented

- Percolative recognition.

History of RoRB classification

- Guernsey has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Guinea, Republic of — Restrictive

RoRB and national identity

- The Constitution of Guinea makes an explicit claim to freedom of religion or belief, a claim the government regularly upholds in practice but with some infractions.
- The Republic of Guinea is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Guinea.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Guinea demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration (broad application):** the government mandates that religious groups register with it in order to conduct what RoRB standards classify as “basic religious activities” — those activities that should be exempt from preapproval from the state or prior registration with the government. Existential recognition and legal registration are amalgamated by the description in legislation that a group becomes “officially recognised” upon completion of registration.
 - **Procedure:** a religious group must submit a registration application to the Secretariat General of Religious Affairs (SRA). Dual registration is introduced when the SRA must

then send the application to the Ministry of Territorial Administration and Decentralisation which makes the final approval and signs the application.

- **Informational requirements:** a written constitution for the group and details about their address in the country.
- **Registration fee:** 250,000 Guinean francs (\$27).
- **Registration benefits:** registering with the government entitles religious groups to an exemption from the value-added tax (VAT) on incoming shipments and makes them eligible for select energy subsidies.
- **Monitorial requirements:** every six months, each registered religious group must present a report of its activities to the government.
- **Unregistration:** unregistered religious groups are not entitled to VAT exemptions and other benefits; by law, the government may shut down unregistered groups and expel their leaders; there is limited opportunity for legal appeal of these penalties.

- Evaluations

- Imposing a registration fee below the \$100 threshold established by RoRB standards is welcomed.
- The imposition of monitorial requirements every six months is excessive and impermissible to RoRB standards which state that monitorial requirements should only be conducted on an annual basis.
- The fact that the government possesses the ability to shut down unregistered religious groups is impermissible to RoRB standards.
- The imposition of a mandatory registration order on religious groups is impermissible to RoRB standards as is the implementation of dual registration policy in which the actions of two different government departments are integral to the completion of registration procedures.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Guinea as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Broadcasting:** religious groups may not own radio or television stations.
 - **Censorship of Islam:** *in May, the Regional Secretariat of Religious Affairs in Faranah, Upper Guinea, removed Imam Mohamed Bayo from the list of approved imams in Faranah and forbade him from conducting any religious activity in the region. According to the decision, Bayo was sanctioned due to statements he made during a local radio interview suggesting that it is possible to pray in any language, “since God understands all languages [and not just Arabic].”*
 - *The SRA continued to issue guidance outlining themes for discussion during Friday sermons at mosques and Sunday sermons in churches. The stated purpose of the weekly guidance was to harmonise religious views to prevent radical or political messages in sermons. Although the SRA did not monitor sermons at every mosque and church, its inspectors were present in every region and were responsible for ensuring that mosque and church sermons were consistent with SRA directives. Clerics whom the SRA judged to be noncompliant were subject to disciplinary action. Deviations from approved guidance were often reported in various sermons at mosques and other Islamic events, but the SRA said it had difficulty imposing disciplinary sanctions due to a lack of funding and resources.*
 - **Hierony:** the importation of religious materials or devotional items into Guinea is permitted without restriction, both for personal and propagational use.
 - **Pilgrimages:** other mosques and some Christian groups receive government subsidies for pilgrimages.

- **Places of worship:** the imams and administrative staff of the principal mosque in Conakry and the principal mosques in the main cities of the four regions are government employees. These mosques are directly under the administration of the government.
- **State appointment:** the Secretary General of Religious Affairs (SRA) appoints national directors to lead the Offices of Christian Affairs, Islamic Affairs, Pilgrimages, Places of Worship, Economic Affairs and the Endowment, and Inspector General.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Guinea's penal code.
- Facilitation of religion or belief
 - **Dedicated office:** the SRA is charged with promoting good relations among religious groups and coordinates with other members of the informal Inter-religious Council, which is composed of Muslims and members from Catholic, Anglican, and other Protestant churches, as well as the SRA.
 - **Ombudsmanship:** there is currently no ombudsman office established in Guinea to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Baha'is and Jehovah's Witnesses:** neither Jehovah's Witnesses nor the Baha'i community requested official recognition during the year. The Baha'is stated they preferred not to have a formal relationship with the SRA, since their lack of recognition and not being subject to government regulation, such as the SRA control over sermon content, allowed them more freedom.
- **Christians:** people who convert from Islam to Christianity sometimes encounter pressure from their community.

- **Minorities:** some non-Muslim government workers have reported occasional discrimination.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated.
- There are no provisions for existential recognition, only legal registration.
- An appropriate administration fee is applied.
- The mandatory requirement for groups to report on their activities every six months is restrictive.
- The governing of religious affairs of the country is intertwined with government bodies which could lead to politicisation.
- The rule against religious entities owning radio or television stations is a restriction on proselytism.
- The rule of mandatory registration violates the Bielefeldt provision.
- The social pressures on those converted and reports of discrimination of non-Muslims can be resolved through promotion of religious education, the reaffirmation of recognition and the spreading of awareness of the importance of diversity.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Dismantle existent policies that restrict religious activity or place barriers during the registration process.
- Establish sufficient provisions for existential recognition not just legal registration.
- Revoke the rule of mandatory registration.
- Use recognition to promote diversity and to improve religious education.

Restriction tools implemented

- Government involvement in internal affairs of religions is unacceptable; this includes government appointment of religious leaders or representatives of belief systems.
- Mandatory registration for religious groups.
- Normativism is existent.
- Proselytism is restricted to a degree.
- Unregistration is likely to lead to closure of said organisation by the government.
- Unstructure exists, particularly for those seeking existential recognition.

History of RoRB classification

- Guinea has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Guinea-Bissau, Republic of — Restrictive

RoRB and national identity

- The Constitution of Guinea-Bissau makes an explicit claim to freedom of religion or belief, a right that is generally upheld in practice but is sometimes infringed by the government.
- The Republic of Guinea-Bissau is a secular state.
- The Constitution also stipulates the state shall be separate from religious institutions and shall respect and protect legally recognised religious groups, whose activities shall be subject to the law.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Guinea-Bissau.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Guinea-Bissau demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration (broad application):** the government mandates that religious groups register with it via their obtainment of licenses to conduct what RoRB describes as “basic religious activities”. Although there is a formal process of mandatory registration, it is often not followed by the state itself and groups operate without registration. It is important to note that a state’s irregular

implementation of its mandatory registration policy does not negate the status of the country as automatically Restrictive in the SRR according to RoRB standards.

- **Procedure:** a registration application should be submitted to the Ministry of Justice which oversees religious registration in the country.
 - **Legal designation:** religious groups are referred to under the designation of association in the law.
 - **Informational requirements:** a document that provides the name, location, type, and size of the religious group (possibly to impose a **membership quota**).
 - **Registration benefits:** tax exemption.
- Evaluations
 - The imposition of a mandatory registration order onto religious groups is impermissible to RoRB standards.
 - Details requested as part of informational requirements do not seem excessive but their misuse by the government to exclude religious groups it does not favour is impermissible to RoRB standards; the precedent that the Bissau-Guinean government has set on its RoRB conditions indicates a likelihood that such information will be misused for such impermissible purposes.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Guinea-Bissau as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Guinea-Bissau is permitted without restriction, both for personal and propagational use.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Guinea-Bissau's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Guinea-Bissau to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims:** some Muslims have reportedly raised concerns about the influence of foreign imams who preach a more rigorous or austere form of Islam, threatening religious tolerance.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; there exists few to no provisions for existential recognition or legal registration, only operational licences which do not equate to either.
- Although the rule of mandatory registration may be infrequent imposed, its mere existence in the legislation violates the Bielefeldt provision.
- A great deal of unstructure exists within the recognition system thus leading to its disregard which is not a positive situation as it demonstrates a lack of authority to bestow recognition and to protect this status.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Establish provisions for existential recognition not just legal registration; establish a clear, authoritative system for religious recognition in order to reach the receptive classification.
- Fix the unstructure present in the legislation by clarifying stances on topics not presently addressed.
- To become dynamic, establish a recognition agency to manage the system independent of government.

Restriction tools implemented

- Mandatory registration for religious groups, although implementation of this mandate fluctuates.
- Unstructure exists within the system and in the language of the legislation.

History of RoRB classification

- Guinea-Bissau was originally classified Ambiguous in the first iteration of the RoRB Index in 2021.
- However, due to efforts to reduce the use of the Ambiguous classification, the RoRB Index of 2022 reclassifies Guinea-Bissau as Restrictive in terms of its RoRB conditions.

Guyana, Co-operative Republic of — Restrictive

RoRB and national identity

- The Constitution of Guyana makes an explicit claim to freedom of religion or belief, a right the government generally upholds in practice but with some infractions
- The Co-operative Republic of Guyana is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Guyana.
 - **Religious favouritism:** *several individuals active in religious circles said that the government favored certain Christian, Muslim, and Hindu groups over others due to the personal affiliations of government ministers. They said, however, that this favouritism did not affect freedom of religious expression or practice in the country.*
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Guyana demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** religious registration in Guyana is based on what is called “**indirect registration**” — when registration procedures focus on registering places of worship than religious groups themselves. As such, there is no official procedures for the formal registration of a religious group

outlined by the government. This type of registration policy creates a great deal of ambiguity as to whether a religious group may conduct other types of “basic religious activities” that do not involve a place of worship — such as proselytism — without prior registration with or notification of the government. The legislation suggests that all places of worship are mandated to register with the government. This registration process is described as resulting in “government recognition”.

- **Procedure:** registration of a place of worship is to be processed at the Deeds Registry through the submission of an application form.
 - **Informational requirements:** a proposed name and address for the place of worship, as well as the names of executive group members or congregation leaders.
 - **Legal designation:** a place of worship is legally classified as a non-profit organisation following its registration.
 - **Registration benefits:** conducting financial operations, buy property, and receive tax benefits in its name.
- Evaluations
 - The imposition of a mandatory registration order on places of worship is impermissible to RoRB standards; indirect registration is also an impermissible form of registration according to RoRB standards.
 - The informational requirements as they are stated are permissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Guyana as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity

- **Hieronymy:** the importation of religious materials or devotional items into Guyana is permitted without restriction, both for personal and propagational use.
- **Missionary activity:** foreign religious workers require a visa from the Ministry of Home Affairs.
 - *The government continued to maintain regulations limiting the number of visas for foreign representatives of religious groups based on historical trends, the relative size of the group, and the President's discretion; however, the government and religious groups, whose membership included foreign missionaries, continued to state the government did not apply the visa limitation rule. Religious groups also said the visa quotas the government allotted to them were sufficient and did not adversely affect their activities.*
- **Proselytism:** religious groups seeking to enter an indigenous village for the purpose of proselytising must submit an application for to the local village council to obtain permission to proselytise.
 - **Informational requirements:** the name of the group, the names of its members who will be going to the village, their purpose, and estimated date of arrival.
- Penal code
 - **Criticism of religion:** an unenforced law prescribes a prison term of one year for a blasphemous libel conviction; however, the law exempts religious expression made in “good faith and decent language”.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Guyana to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims:** *in February 2021, one of the ERC’s Muslim commissioners called the organization “dysfunctional and wasteful” and said it was not fulfilling its mandate. According to the commissioner, the ERC, established in 2000 and reconstituted in 2018, continued to provide public messaging during local holidays, but its other public activities were limited, as the commissioners’ three-year term expired in April and the government did not name new members during the year.*

Overview

- There exists no official recognition system for belief systems and religious communities in Guyana.
- Places of worship are the primary means of registration and these all must register with the Deeds Registry which is a form of mandatory registration; informational requirements associated with this application seem appropriate but require monitoring to ensure no misuse takes place; from there, a religious organisation can operate under the name of the place of worship.
- The great deal of unstructure existent within the Guyanese system means that it is classified as ambiguous with receptive elements.

Positive elements

- Freedom of religion or belief is broadly protected in practice by the government.
- Horizontal recognition is in effect.

Recommendations

- Establish a distinct recognition system for different forms and levels of religion and belief.
- Remove all forms of unstructured by clarifying unaddressed topics and issues.
- Revoke the rule of mandatory registration of places of worship and disestablish the present system as being oriented on places of worship.

- To be classified as dynamic, a recognition agency would need to be established to manage the recognition system in a way that is independent of the government to ensure no politicisation or manipulation takes place.

Restriction tools implemented

- Dormant laws exist for blasphemy and for limitations of foreign missionary work.
- Mandatory registration for religious groups that wish to establish places of worship.

History of RoRB classification

- Guyana was originally classified Ambiguous in the first iteration of the RoRB Index in 2021.
- However, due to efforts to reduce the use of the Ambiguous classification, the RoRB Index of 2022 reclassifies Guyana as Restrictive in terms of its RoRB conditions.

Haiti, Republic of — Receptive

RoRB and national identity

- The Constitution makes an explicit claim to freedom of religion or belief and this right is broadly upheld by the government in practice.
- The Republic of Haiti is a secular state.
- The government extends the Catholic Church state privilege by way of a concordat between the state and the Holy See.
- Vodou is given heightened degree of existential recognition above most other religions though its status as the state religion remains unclear.

Recognition law

- Structures and procedures for existential recognition
 - A 2003 government directive establishes Vodou as an official religion and accords the right to the Vodou community to issue official documents. It is unclear still whether this directive means that Vodou is the state religion of Haiti although most see it as not the case.
 - **Bilateral cooperation agreements:** a concordat between the Holy See and the government provides the Vatican authority to approve a specific number of bishops in the country with government consent. Under the accord, through the MFA's Bureau of Worship, the government provides a monthly stipend to Catholic priests. Catholic and Episcopalian bishops and the Protestant Federation's head have official license plates and carry diplomatic passports.
- Evaluations
 - There is a lack of expansion in the bilateral cooperation agreement procedures to minorities and new religious movements.
 - The lack of clarity around whether Vodou is an official religion is also impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the Bureau of Worship handles the registration of religious organisations (GBoBs or BBOs) in the Republic of Haiti. The Bureau states that groups must register with it in order to receive certain benefits from the government. The stipulatory nature rather than the mandatory nature of these registration procedures is highlighted in the fact that there are no penalties for unregistration.
 - There is a low registration rate for religious groups in Haiti despite the benefits tied in with registration.
 - The Ministry of Justice deals in authorising registered religious leaders with the ability to issue official civil documents like marriage and baptismal certificates.
 - *To obtain a government-issued license, the prospective leader of a religious group must submit documents to the MFA, such as a religious studies diploma and a police certificate. Once the MFA confirms the applicant's eligibility for a license, a Ministry of Justice official authorises the applicant to perform civil ceremonies, such as marriages and baptisms.*
 - The Ministry of Foreign Affairs (MFA) demands that registered religious groups submit annual updates to them but the consequences of failure to do so remain unclear. These kinds of ambiguous monitorial requirements may not hold nefarious intent but continue to make monitorial procedures vulnerable to misuse by the government to the detriment of FoRB conditions.
 - **Registration benefits:** legal entity status and tax-exempt status.
 - **Informational requirements:** information on its leaders' qualifications, a membership directory, and a list of the group's social projects. Some of these informational requirements violate RoRB standards.
 - **Registration rate of clergy:** according to the BOW, there were 9,195 certified Protestant pastors, 704 certified Catholic

priests, and two certified Vodou clergy at year's end, representing no change from 2020. By year's end, the government had not certified any Muslim clergy, including from the newly registered Ahmadiyya community.

- Evaluations
 - Multiple government ministries are involved in the registration procedures which is likely to make registration more bureaucratic and administrative than it would ideally be if RoRB standards were followed.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Haiti as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieroncy**: the importation of religious materials or devotional items into Haiti is permitted without restriction, both for personal and propagational use.
 - **Proselytism**: foreign missionaries operating in the country are subject to the same legal and administrative requirements as their domestic counterparts.
- Penal code
 - There is insufficient information about Haiti's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Haiti to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims:** the government has denied registration to the small Muslim community.
- **Christians:** the traditionally dominant Roman Catholic and Protestant churches and schools receive privileges from the state.
- **Voodooists:** Vodou religious leaders experience social stigmatisation and violence for their beliefs and practices.
- *In September 2021, Prime Minister Ariel Henry dismissed the incumbent members of the Provisional Electoral Council (CEP), seeking to replace them with what he called a “more credible” body of representatives. Upon dismissing the incumbent members, he invited representatives from civil society to nominate new ones. Among religious groups that received his request, the Catholic Church and Protestant Federation initially refused to participate in the process to join the CEP on the grounds that the representational institution had become too politicised. Government officials said they expected Catholic, Protestant, and Vodou communities to nominate members from their respective associations by year’s end; however, at year’s end, none of these communities had nominated new members. Government officials involved in the procedures for CEP formation stated that the nomination process for the Protestant representative to the CEP was particularly contentious because multiple Protestant coordinating bodies each saw themselves as the rightful representative of the country’s Protestants.*

Overview

- State privilege is bestowed to the Catholic Church and Protestant churches.

- Recognition and registration in Haiti are differentiated yet existential recognition is not available to all belief systems, hence a focus is placed on legal registration for all non-Christian groups.
- Informational requirements are slightly intrusive but not necessarily excessive.
- Due to the present unstructure and lack of visibility of the recognition system, the rate of recognition in Haiti is low which needs to be resolved which this low rate provides the inefficacy of the country's present system.

Positive elements

- Nil.

Recommendations

- Establish a recognition system in the country that is dynamic enough to provide both existential recognition and legal registration to both traditional and non-traditional belief groups and at multiple levels of their activity.
- Remove all instances of unstructure and the country should be able to be moved up to receptive status.
- To become dynamic, the country would need to establish an independent recognition agency to manage with the recognition system and it would need to cater to both Christian and non-Christian groups simultaneously and equally.

Restriction tools implemented

- Ambiguous exists in the legislation.
- Denial of recognition based on belief identity has been imposed by the government onto the country's Muslim community.
- Intrusive informational requirements.
- Partial recognition is in effect.
- State privilege.
- Stipulatory registration.
- Unstructure is widespread in the recognition system.

History of RoRB classification

- Haiti has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Honduras, Republic of — Receptive

RoRB and national identity

- The Constitution of Honduras makes an explicit claim to freedom of religion or belief and this right is broadly by the government in practice.
- The Republic of Honduras is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** the government has agreements with the CEH, the Church of Jesus Christ, and Seventh-day Adventists, among others, to facilitate entry and residence permits for their missionaries. Groups with which the government does not have written agreements are required to provide proof of employment and income for their missionaries.
- Evaluations
 - Instituting a procedure for bilateral cooperation agreements by the state and religious denominations is welcomed; continued expansion of these procedures to ensure all denominations are given the opportunity to establish their own cooperation agreements is essential to the facilitation of religion or belief.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups are not mandated to register to conduct what RoRB standards describe as “basic religious activities” but must register in order to conduct certain other activities or to receive some benefits from the state.

- **Procedure:** religious groups are expected to apply to the Secretariat of Governance, Justice and Decentralisation. The Directorate of Regulation, Registration, and Monitoring of Civil Associations (DRRSAC) is also involved in the procedure as is the official NGO registry office.
- **Legal designation:** religious groups as classified under the legal designation religious association.
- **Informational requirements:** information on their internal organisation, bylaws, and goals.
- **Registration benefits:** may apply to the Ministry of Finance to receive benefits, such as tax exemptions and customs duty waivers.
- **Monitorial requirements:** approved organisations must submit annual financial and activity reports to the government to remain registered.
- **Registration rate:** during the year, the DIRRSAC registered 151 religious associations of a total of 208 applications, compared with a total of 86 applications and 66 registered associations in 2020. According to the DIRRSAC, it did not deny any registration requests by religious associations during the year, and 57 applications continued to be under review through year's end.

- Evaluations

- The implementation of stipulatory registration is permissible in RoRB standards as long as stipulations are not made that would inhibit the free practice of “basic religious activities” as outlined by RoRB standards.
- The monitorial requirements as they have been outlined in policy are permissible to RoRB standards as long as they are conducted only annual and all BBOs are treated equally during such processes.
- The involvement of three separate government departments in the registration procedures is impermissible to RoRB standards and is classified as administrative restriction.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Honduras as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Conscientious objection:** *the government is a party to the Ibero-American Convention on Young People's Rights, which recognises the right to conscientious objection to obligatory military service, including for religious reasons.*
 - **Hierony:** the importation of religious materials or devotional items into Honduras is permitted without restriction, both for personal and propagational use.
 - The FedEx Cross Border global lists states “political literature” as one of the items prohibited from import into Honduras.
 - **Legal obligations:** *the criminal code protects clergy authorized to operate in the country from being required by the court or the Attorney General's Office to testify regarding privileged information obtained in confidence during a religious confession. The law does not require vicars, bishops, and archbishops of the Roman Catholic Church and comparably ranked individuals from other legally recognised religious groups to appear in court if subpoenaed. They are required, however, to make a statement at a location of their choosing.*
 - **Missionary activity:** *the government requires foreign missionaries to obtain entry and residence permits and mandates that a local institution or individual must sponsor a missionary's application for residency and submit it to immigration authorities. Foreign religious workers may request residency for up to five years. To renew their residence permits, religious workers must submit proof of continued employment with the sponsoring religious group at least 30 days before their residency expires. According to the immigration law, individuals who “fraudulently exercise their religious profession or office or commit fraud against the health or religious beliefs of citizens of*

the country, or the national patrimony,” may be fined or face other legal consequences.

- **Political activity:** the constitution prohibits religious leaders from holding public office or making political statements.
- **Religious education:** *the constitution states public education is secular and allows for the establishment of private schools, including schools run by religious organisations. Public schools do not teach religion; however, private schools may include religion as part of the curriculum. Various religious organisations, including the Roman Catholic Church, Seventh-day Adventist Church, and evangelical Protestant churches, run schools. Parents have the right to choose the kind of education their children receive, including religious education. The government dictates a minimum standardised curriculum for all schools. Some private religiously-affiliated schools require participation in religious events to graduate.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Honduras’ penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Honduras to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Protestants:** *some religious organizations, including the evangelical Protestant umbrella organization FIH, which states that 40 religious groups are members and does not have a formalised agreement with the government, said the government continued to give preference to religious groups belonging to the evangelical Protestant umbrella organization CEH, which states its membership includes 360 religious groups. On September 30, the FIH said the government discriminated against its members in the application of residency*

permits and a request for tax exemption. The FIH said the government did not approve or respond to an application for tax exemption for the construction of a religious building or applications for residence permits for its foreign missionaries, while approving similar applications from the CEH, which has an agreement with the government.

Overview

- Monitoring the potential misuse of subjective language in the legislation is important to continue.
- The requirement of annual reporting of financial and operational activities to remain registered is not best practice but may not be restrictive as long as the information provided to the government is not manipulated or misused.

Positive elements

- Freedom of religion or belief is broadly upheld by the government with few if any restrictions.
- Horizontal recognition is in effect.

Recommendations

- Establish provisions for existential recognition in addition to the already existent procedures for legal registration; ensure that these provisions are bestowed universally and equally across traditional and non-traditional belief systems as well as to NRMs, and at multiple levels of activity.
- Remove any remaining minor restrictive policies within the recognition system.
- To become dynamic, the Honduran government would need to allow for the establishment of a recognition agency to manage its recognition system and its activities independent of government involvement in order to ensure that freedom of religion or belief maintains its status of being ectopolitical.

Restriction tools implemented

- Limitations exist on foreign missionary activity.
- State privilege is to some degree bestowed to the Catholic Church.
- Stipulatory registration.
- Subjective language exists in the legislation that could be misused.

History of RoRB classification

- Honduras has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Hong Kong Special Administrative Region of the People's Republic of China — Receptive

RoRB and national identity

- Hong Kong Basic Law makes a claim to freedom of religion or belief and although this right has a history of being upheld since Hong Kong's transition as a British territory to a Special Autonomous Region, the rights enshrined in Basic Law are now under threat from the encroaching powers of the Chinese Communist Party over the region.
- Hong Kong, as a Special Administrative Region of China, is a secular territory.

Recognition law

- Structures and procedures for existential recognition
 - Non-percolative recognition is in effect as Hong Kong is governed under different laws from and policies regarding religious activity than in Mainland China; however, this is likely to be in the process of changing as China exerts more influence over the territory.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Hong Kong demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups are not required to register to conduct religious services but must register to receive certain financial and legal benefits. There are two legal designations for religious groups in Hong Kong: a

society or tax-exempt organisation. Groups may also apply for both designations. The registration process normally takes approximately 12 working days.

- **Registration benefits:** tax-exempt status, rent subsidies, government or other professional development training, use of government facilities, or a grant to provide social services.
- **Qualifications:** to qualify for such benefits, a group must prove to the satisfaction of the government that it is established solely for religious, charitable, social, or recreational reasons.
- **Informational requirements:** the name and purpose of the organisation, identification of its office holders, and confirmation of the address of the principal place of business and any other premises owned or occupied by the organisation.
- **NGO registry:** if a religious group registers with the government, it enters the registry of all nongovernmental organisations (NGOs), but the government makes no adjudication on the validity of any registered groups. Therefore, this is no distinction made between religious and secular organisations which does not come up to RoRB standards for having the system to sufficiently provide services to fulfil needs particular to religious entities.
- **Membership quota:** three members with valid SAR identity documents (**nationality quota**) are required for either of the legal designations.

- Evaluations

- The imposition of a stipulatory registration policy is permissible as long as the policy does not impede on the free conduct of
- The imposition of any kind of membership quota is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Hong Kong as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Hong Kong is permitted without restriction, both for personal and propagational use.
 - It remains unclear whether the increasing influence of the PRC in Hong Kong and the implementation of the National Security Law on 1st July 2020 may have caused negative impacts for hieronymy in the territory.
 - **Leasing land:** *religious groups may apply to the government to lease land on concessional terms through Home Affairs Bureau sponsorship. Religious groups may apply to develop or use facilities in accordance with local legislation.*
 - **Temple management:** *the Chinese Temples Committee, led by the Secretary for Home Affairs, has a direct role in managing the affairs of some temples. The SAR chief executive appoints its members. The committee oversees the management and logistical operations of 24 of the region's 600 temples and gives grants to other charitable organizations. The committee provides grants to the Home Affairs Bureau for disbursement in the form of financial assistance to needy ethnic Chinese citizens. A colonial-era law does not require new temples to register to be eligible for Temples Committee assistance.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Hong Kong's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Office of the Ombudsman was created in 1989 and the incumbent ombudsperson is Winnie Chiu, JP, who has been in office since 2019.

Social dimensions of RoRB

- **Falun Gong practitioners:** The Falun Dafa Association is registered as a society rather than a religious group; as a society, it may establish offices, collect dues from members, and have legal status. Adherents of the Falun Gong spiritual movement, which is persecuted in mainland China, are free to practice in public. However, they have complained of counterdemonstrations and harassment by members of the Hong Kong Youth Care Association (HKYCA), which has ties to the CCP.

Overview

- The degree to which the Chinese Communist Party (CCP) holds influence over the religious recognition system in Hong Kong sees fluctuation and remains ambiguous.
- There are not separate registration procedures for religious entities which is not ideal.
- There exists a vertical recognition in effect because there is two categories of registration, a society and a religious group; there is also the category of tax-exempt organisation.
- There exists a lack of procedures for existential recognition in the territory.
- With respect to Hong Kong, the central government notified the Secretary-General, in part, that the ICCPR would also apply to the Hong Kong Special Administrative Region.

Recommendations

- Due to the ongoing encroachment of the CCP into life in Hong Kong, it is doubtful that the Special Administrative Region will maintain its status of receptive if CCP successfully imposes anything like its own policies on religion in Hong Kong; on this basis, protection of the Basic Law of Hong Kong regarding religious freedom and religious recognition against CCP

encroachment is essential as is bringing attention to the ongoing increase of restrictions on civil life in Hong Kong.

- To maintain its receptivity and to become Dynamic, Hong Kong would need to establish distinct procedures for recognising and registering religious entities and would need to establish a recognition agency to manage its recognition system independent of the government.

Restriction tools implemented

- Ambiguity exists within the system and its legislation.
- Politicisation of religion and belief in Hong Kong is becoming more apparent due to CCP influence.
- Stipulatory registration.
- The overarching influence of the CCP puts religious freedom in Hong Kong in jeopardy.
- Vertical recognition is in effect.

History of RoRB classification

- Hong Kong has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Hungary — Restrictive

RoRB and national identity

- The Hungarian Constitution makes an explicit claim to freedom of religion or belief, a right the government generally upholds in practice but with some infractions.
- Hungary is a secular state.
- However, the Hungarian government extends state privilege to Christianity and Christian groups.
- A 2018 parliamentary amendment to the 2011 religion law entered into force in 2019; the purpose of the amendment was to implement judgments of the country's Constitutional Court and the European Court on Human Rights.
- Constitutional amendments enacted in 2018 and 2020 reinforced those references, obliging all state organs to protect “Christian culture” and guaranteeing children’s right to education based on Christian values.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** such agreements are a necessary component for religious groups to ascend to established church status in the country. *Treaties with the Holy See regulate relations between the state and the Catholic Church, including financing of public services and religious activities and settling claims for property seized by the state during the Communist era. These treaties serve as a model for regulating state relations with other religious groups, although there are some differences in the rights and privileges the state accords to each of the religious groups with which it has agreements. The state has also concluded formal agreements with the Hungarian Reformed Church, Hungarian Lutheran Church, Federation of Hungarian Jewish Communities (Mazsihisz), and four Orthodox churches.*
 - **Limited agreements:** the law allows the government to negotiate individual cooperation agreements with all four

tiers of religious groups for the performance of public service activities and support of faith-based activities. The agreements' duration depends on the status of the religious community, ranging from a five-year maximum for religious associations to 10 and 15 years for listed and registered churches, respectively, and unlimited duration for established churches. These agreements may be prolonged.

- *In September 2021, the Hungarian Baptist Church signed a cooperation agreement with the government to carry out religious, educational, social, and cultural activities.*

- Evaluations

- The Hungarian government's establishment of procedures for bilateral cooperation agreements is welcomed although expansion of these procedures to include more minority and new religious movements is crucial.
- The establishment of procedures for limited agreements with denominations is impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Vertical registration:** the Hungarian government has established a four-tier system for religious group registration in the country, in descending order of the level of recognition bestowed, "established (or incorporated) churches," "registered churches" (also called "registered II"), "listed churches" (also called "registered I"), and "religious associations"; it seems that registration procedures are non-mandatory for conducting "basic religious activities".
 - **Term use:** the term "church" in the law refers to any religious community, not just Christian ones, and religious groups in any category may use "church" in their official names.
 - **Grandfathered groups:** all previously incorporated religious groups retained their status in the first tier of the new system as established churches.

- **Procedure:** to become an established (or incorporated) church requires approval by parliament while the Budapest Capital Regional Court oversees the registration applications for the other three categories of religious groups.
- **Procedure for established church status:** a completed bilateral cooperation agreement must be submitted to the government which then submits the agreement to parliament, which must approve it by a two-thirds majority vote. A registered church becomes an established church from the day parliament approves the comprehensive agreement.
 - **Qualifications:** a religious group must have registered status and conclude a comprehensive cooperation agreement with the state for the purpose of accomplishing community goals.
 - **Established church benefits:** eligible to benefit from significant state subsidies for the performance of public service activities.
 - **Registration benefits:** *the law allows taxpayers to allocate 1 percent of their income taxes to any religious community in any of the four categories, starting with the 2020 tax year. Religious groups may use these funds as they wish. Only established and registered churches (the two highest tiers) are eligible to receive a state subsidy supplementing the 1 percent tax allocations.*
- **Procedure for registered church status:** a registration application should be submitted to the government showing proof of the following qualifications and fulfilment of quotas.
 - **Qualifications:** a religious group must have received tax allocations from an average of 4,000 persons per year in the five-year period prior to the application.
 - **Exemption pathway:** *religious groups that agree not to seek state or EU funding (including personal income tax allocations) for their religious activities may qualify as registered or listed churches without fulfilling the requirement regarding the number of personal income tax allocations. The applicant religious community must perform primarily religious activities and may not*

be a criminal defendant or have been convicted of a crime during the previous five years, under sanction for “repeated violation of accounting and management rules,” or considered a national security threat. The court decides whether to grant status as a registered or listed church based on an examination of the criteria above. In reviewing these applications, the court may consult church law, church history, or ecclesiastical or academic experts, and may also seek the opinion of the national security services.

- **Membership quota:** at least 4,000 total citizen members.
- **Longevity quota:** the group either have operated as a religious association for at least 20 years in the country or at least 100 years internationally, or have operated as a listed church for at least 15 years in the country or at least 100 years internationally.
- **Procedure for listed church status:** a registration application should be submitted to the government showing proof of the following qualifications and fulfilment of quotas.
 - **Qualifications:** a religious group must receive tax allocations from an average of 1,000 persons per year in the three-year period prior to the application for status and
 - **Membership quota:** at least 1,000 total citizen members.
 - **Longevity quota:** must have operated as a religious association for at least five years in the country or for at least 100 years internationally.
- **Procedure for religious association status:** a registration application should be submitted to the government showing proof of the fulfilment of the required quotas.
 - **Membership quota:** must have at least 10 members.
- **Registration benefits:** *religious groups in all four tiers have “legal personality,” which grants them legal rights, such as the right to own property. The law allows taxpayers to allocate 1 percent of their income taxes to any religious community in any of the four categories, starting with the 2020 tax year.*

Religious groups may use these funds as they wish. Only established and registered churches (the two highest tiers) are eligible to receive a state subsidy supplementing the 1 percent tax allocations. According to the law, the Budapest-Capital Regional Court may dissolve a religious community with legal status – with the exception of established churches – if its activities conflict with the constitution or law or if the court rules its registration should have been denied. Parliament may dissolve an incorporated church if the Constitutional Court finds it is operating in violation of the constitution. If a religious community is dissolved without a legal successor, its assets, after satisfying creditors, become the property of the state and shall be used for public interest activities.

- **Reclassification:** religious groups that agree not to seek government or EU funding but accept financial support at a later stage must report it to the court within 15 days of the disbursement of the aid. To avoid losing its status or a reclassification to the lower association tier, the religious group has eight days to declare to the court that it has returned the funds, requested cancellation of its religious registration status, or complied with the individual tax allocation requirement to become a registered or listed organisation. The religious group or prosecutor's office may appeal the court's decision on the status of the group to the Budapest-Capital Court of Appeal. The law stipulates the minister responsible for church issues, based on information received from the court, shall manage an electronic database of religious groups with legal status, accessible to the public free of charge. The database is publicly accessible at the government's central webpage, kormany.hu.
- **Mass deregistration:** after the adoption of a 2011 law on churches, some 300 religious communities lost their status as incorporated churches and were relegated to the new category of "religious organisations." When that law was later found in violation of the European Convention on Human Rights, the government adopted a new law in 2018 to fulfil the same goals. That legislation created a four-tier recognition scheme, leaving the parliament to determine where organisations would fall in the new system. The law does not rectify the earlier deregistration of churches.

- **Unregistration:** religious entities that do not apply for legal status in one of the four categories are still able to function and conduct worship. The law states constitutional protection of freedom of religion also applies to unregistered groups.
 - **Non-response:** *according to the COS, the Csongrad County Government Office again failed to act on a certificate of occupancy application by the COS for its headquarters in Budapest. The application had remained pending since 2017, despite a 2017 Budapest Administrative and Labor Court ruling that the county office process the COS's application by March 2018. The COS said it had received no explanation for the continued delay. An extant court order allowed the COS to continue to use the building.*
- Evaluations
 - The Hungary government's engagement in mass deregistration in 2011 is a clear sign of its nefarious intent to restrict religious activity; the four-tier vertical recognition system now in place is another manifestation of the overall aim to control religion and belief.
 - Provisions to protect unregistered belief groups is welcomed and necessary as part of RoRB standards.
 - The imposition of onerous registration procedures is impermissible to RoRB standards, two prime examples of which are membership quotas and longevity quotas imposed religious groups seeking registered status and excessive qualifications.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Hungary as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity

- **Hieronymy:** the importation of religious materials or devotional items into Hungary is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Hungary's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the constitution establishes a unified system for the Office of the Commissioner for Fundamental Rights (ombudsperson) which was formed by the merger of offices of four previous ombudspersons. The ombudsperson investigates cases related to violations of fundamental rights – including religious freedom – and initiates general or specific measures for their remedy. These measures do not have the force of law.
 - **Self-regulation/protective measures:** by law, the state may neither operate nor establish any body for controlling or monitoring religious groups. Their doctrines, internal regulations, and statutes are not subject to state review, modification, or enforcement. Copyright law protects their names, symbols, and rites, while criminal law protects buildings and cemeteries.

Social dimensions of RoRB

- **Muslims:** the government has led xenophobic campaigns in recent years, fuelling anti-Muslim sentiment, and sought to establish links between the spread of the pandemic and illegal migration in 2020.

Overview

- State privilege is extended to Christian groups.

- A system of vertical recognition exists in which there exists a four-tiered system entered into law in 2019; from the highest to lowest forms of recognition, the categories are “established church”, “registered church”, “listed church” and “religious association”; this system of vertical recognition does not comply with the Durham principles and establishes several barriers gaining equal recognition for all religious groups; although the categories within the system are not violative in and of themselves, it is their misuse by the government to segment religions into different levels validity that violates religious freedom.
- Part of the requirements for the different tiers are incremental membership quotas, incremental longevity quotas; the process of registration is also highly politicised due to the fact that parliament grants registration.

Positive elements

- Bilateral cooperation agreements are made available for all religious groups irrespective of their registered positions within the system.

Recommendations

- Establish provisions for existential recognition to be bestowed, not just legal registration.
- Revoke the longevity quotas, mass deregistrations, membership quotas, reclassifications, parliamentary votes, vertical registration system, onerous registration procedures, and limited agreements.
- To become Dynamic, the Hungarian government would need to allow for the establishment of a recognition agency independent of its control that would be able to manage the recognition system without politicisation.

Restriction tools implemented

- Longevity quotas are in place.
- Membership quotas are in effect.
- State privilege is in effect.

- Stipulatory registration.
- Vertical recognition is in effect which perpetuates the existence of various restriction tools.

History of RoRB classification

- Hungary has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Iceland — Receptive

RoRB and national identity

- The Constitution of Iceland makes an explicit claim to freedom of religion or belief, a claim the government broadly upholds in practice.
- The Constitution of Iceland establishes the Evangelical Lutheran Church of Iceland (Lutheranism) as the state denomination and stipulates the government shall support and protect it.
- The constitution states all individuals have the right to form religious associations and practice religion in accordance with their personal beliefs, as long as nothing is “preached or practiced which is prejudicial to good morals or public order.” It stipulates everyone has the right to remain outside religious associations and no one shall be required to pay personal dues to any religious association of which he or she is not a member. The constitution also specifies individuals may not lose their civil or national rights and may not refuse to perform civic duties on religious grounds. The constitution bans only religious teachings or practices harmful to good morals or public order. The law further specifies the right of individuals to choose or change their religion.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Lutheranism in Iceland due to the use of constitutional recognition to establish the Evangelical Lutheran Church of Iceland.
 - **Religious favouritism:** *state radio continued to broadcast Lutheran worship services every Sunday morning as well as a Lutheran daily morning devotion. According to the station’s chief of programming, other religious groups could also broadcast their religious services, but none had sought to do so.*

- Evaluations
 - The lack of existential recognition in Lutheranism for any denomination other than Iceland is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups are not required to register to conduct what RoRB standards classify as “basic religious activities”.
 - **Procedure:** religious groups submit their registration application to a district commissioner’s (at present, designated as the district commissioner of Northeast Iceland), who forwards the application to a four-member panel that by law the Minister of Justice appoints to review applications. The University of Iceland faculty of law nominates the chairman of the panel, and the university’s Departments of Social and Human Sciences, Theology and Religious Studies, and History and Philosophy, respectively, nominate the other three members. The district commissioner then approves or rejects the application in accordance with the panel’s decision.
 - **Legal designation:** life-stance organisation.
 - **Qualifications:** *a religious group must “practice a creed or religion,” and a life-stance organisation must operate in accordance with certain ethical values and “deal with ethics or epistemology in a prescribed manner.” The law does not define “certain ethical values” or the prescribed manner in which groups must deal with ethics or epistemology. Religious groups and life-stance organisations must also “be well established,” “be active and stable,” “not have a purpose that violates the law or is prejudicial to good morals or public order,” and have “a core group of members who participate in its operations, support the values of the organisation in compliance with the teachings it was founded on, and pay church taxes in accordance with the law on church taxes.” The law does not define “well established” or “active and stable.”*

- **Maturity quota:** leaders of a registered religious group or a life-stance organisation must be at least 25 years of age.
- **Public position requirements:** a religious leader or leader of a life-stance organisations must be physically and mentally healthy and financially independent, not having been sentenced for a criminal offence as a civil servant, and possessing the general and specialised education legally required for the position; unlike the requirements for most public positions, a religious or life-stance group leader need not be a citizen but must have legal domicile in the country.
- **Registration benefits:** eligibility for state funding and entitled to legal recognition of religious ceremonies, such as marriages, that they perform; the law provides state subsidies to registered religious groups and life-stance organisations.
- **Required ceremonies:** registered religious groups and life-stance organisations are required to perform state-sanctioned functions, such as marriages and the official naming of children, and preside over other ceremonies, such as funerals.
- **Monitorial requirements:** all registered religious groups and life-stance organisations must submit an annual report to a district commissioner's office (currently the district commissioner's office of Northeast Iceland) describing the group's operations during the previous year.
- **Denial of registration:** applicants may appeal rejections to the MOJ, resubmitting their application to the district commissioner with additional information. The same four-member panel reviews appeals.
- **Unregistration:** *according to the district commissioner's office of Northeast Iceland, which covers the administration of religion on a national level, any unregistered religious group or organisation may work in the same way as any company or association, provided it has, as the other organisations do, a social security number. Unregistered religious groups may, for example, open bank accounts and own real estate. Members are free to worship and practice their beliefs without restriction as long as their activities do not cause a public disturbance, incite discrimination, or otherwise conflict with the law.*

- **Status of the ELC:** *the law grants the ELC official legal status, and the government directly funds it from the state budget. Following the 2019 subsidiary agreement, the ELC Bishop, Vice Bishop, and other ELC ministers and general staff no longer have civil service status and are no longer paid directly by the government. The Church pays salaries, benefits, and operating costs out of its own budget, which still comes from an annual government lump-sum payment. The ELC also receives funding from government-levied church taxes, as do other registered religious and life-stance groups. In June, the government passed additional amendments as a part of the 2019 subsidiary agreement. The amendments abolished three separate funding streams previously provided to the ELC (parish equalisation fund, church affairs fund, and district funds) and replaced them with a lump-sum contribution. They also ended government subsidies for funeral services provided by religious and secular groups. Under the new law, religious groups, including the ELC, are responsible for collecting payment for funeral and burial services from the family of the deceased.*

- Evaluations

- The implementation of stipulatory registration is permissible to RoRB standards as long as such stipulations do not intervene in the what are classified as “basic religious activities”.
- The outlined monitorial requirements are permissible to RoRB standards as long as all groups submitting reports are treated equally and fairly by the review board and are not discriminated against on the basis of the contents of their beliefs.
- The imposition of a maturity quota is impermissible to RoRB standards.
- Some of the stipulated qualifications are subjective enough to be vulnerable to misuse but given Iceland’s precedent in protecting human rights, these qualifications are not attributed with nefarious intent, however, their misuse should always be monitored.

- The legal designation life-stance organisation (LSO) is rarely used in legal frameworks outside Iceland but is an inclusive term that is permissible for use in RoRB standards as an equivalent to belief-based organisation (BBO).

Law and policy on religion and belief

- Self-identification
 - **Religious attire:** *the government continued to require persons applying for a passport to present proof of religion from a religious organization if they wished to receive a religious exemption allowing them to wear a head covering for their passport photographs.*
- Communal activity
 - **Child religiosity:** *by law, a child's affiliation or non-affiliation with a registered religious or life-stance group is determined as follows: (1) if the parents are married or in registered cohabitation and both belong to either the same registered organisation or no organisation, then the child's affiliation shall be the same as its parents; (2) if the parents are married or in registered cohabitation, but have different affiliations or if one parent is nonaffiliated, then the parents shall make a joint decision on which organisation, if any, the child should be affiliated, and until the parents make this decision, the child shall remain nonaffiliated; (3) if the parents are not married or in registered cohabitation when the child is born, the child shall be affiliated with the same registered organisation, if any, as the parent who has custody over the child. Change in affiliation of children younger than 16 requires the consent of both parents if both have custody; if only one parent has custody, the consent of the noncustodial parent is not required. The law requires parents to consult their children regarding any changes in the child's affiliation between the ages of 12 and 16. After turning 16, children may choose affiliation on their own.*
 - **Church tax:** *persons who are not members of a registered organisation are still required to pay the church tax, but the*

government retains their contributions as general revenue rather than allocating them to religious or life-stance organisations. For each individual 16 years of age or older who belongs to any of the officially registered and recognised religious groups or life-stance organisations, the government allocates an annual payment out of income taxes, called the “church tax,” to the individual’s respective, registered organisation. The per capita payment amount varies every year according to the annual budget bill. The government allocates the payment regardless of whether the individual pays any income tax. The government registrar’s office (“Registers Iceland”), which describes itself on its website as the government office that maintains records of basic information on everyone who is or has been domiciled in the country as well as citizens residing abroad, maintains a tally of the number of members of each registered group, records the religious affiliation or non-affiliation of each citizen at birth, and adjusts the information if individuals report a change.

- The government church tax payment to registered religious and life-stance groups was 11,820 kronur (\$91) for each member, age 16 or older, compared with 11,700 kronur (\$90) in 2020.
- **Hierony:** the importation of religious materials or devotional items into Iceland is permitted without restriction, both for personal and propagational use.
- Officials from the Interfaith Forum for Dialogue and Cooperation had previously noted some issues in the dealings between registered religious organizations and the government registrar’s office. In 2019, the registrar had restricted religious organizations’ access to membership lists, citing the implementation of the General Data Protection Regulation as the reason, but later overturned that decision. Officials from the government registrar’s office confirmed that religious groups would have access to the government’s membership tallies upon filing appropriate forms and paying required processing fees. Some religious groups complained about having to pay the fee and that individual member registrations were only electronic.

Officials from Registers Iceland confirmed, however, that paper applications would be accepted and processed.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Iceland's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the position of Althing Ombudsman was established in 1987 to deal with complaints against the government and to promote equality and good administrative practice by the state.
 - **State funding:** *according to the official state budget bill, in 2020, the latest year for which data were available, the government allocated approximately 7.6 billion kronur (\$58.47 million) to religious affairs, of which 3.7 billion kronur (\$28.47 million) was in direct subsidies to the ELC and an additional 2.7 billion kronur (\$20.77 million) was distributed through the church tax. The other 50 religious and life-stance groups recognised in 2020 received a total of 549 million kronur (\$4.22 million) in church tax distributions. In 2019, the government allocated approximately 7.3 billion kronur (\$56.16 million) to religious affairs, of which 4.8 billion kronur (\$36.93million) was in direct subsidies to the ELC and an additional 2 billion kronur (\$15.39 million) was in church tax distributions. The other recognized religious and life-stance groups received a total of 468 million kronur (\$3.6 million) in church tax distributions.*

Social dimensions of RoRB

- **Atheists:** *the Atheist organization Sidmennt criticized the government for a lack of consultation in developing government policy on religious matters. The organization described the government's policy as principally focused on creating a legal framework for the ELC, and other religious groups being afterthoughts.*

Overview

- The Evangelical Lutheran Church is the state religion; due to this, partial recognition is in effect.
- Icelandic terminology focuses on the phrase “life stance” in order to be inclusive of different types of belief systems, either of a religious, spiritual or philosophical nature which demonstrates dynamic character.
- Informational requirements are appropriate and their sophistication is dynamic.
- Mandatory annual reporting to the government is not ideal.

Positive elements

- Academic oversight of registration applications demonstrates dynamic character as long as academics remain impartial and there is no government influence.
- Freedom of religion or belief is widely upheld by the government.
- State provision of funds to help support religious organisations is positive although this activity should ideally be conducted by an independent agency and there should be alternative opportunities for funding for smaller groups in order to ensure equality within the system.

Recommendations

- Establish a recognition agency that is independent of the government in its actions and activities; this would secure Iceland's classification as dynamic.
- Establish provisions for existential recognition.
- State religion can remain although no special privileges should be provided to the ELC if these same benefits are not also extended to all other groups.

Restriction tools implemented

- Partial recognition is in effect.

- State religion.
- Stipulatory registration.
- The subjective language used in the legislation should be monitored for misuse although there is no track record of misuse.

History of RoRB classification

- Iceland has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

India, Republic of — Censorious

RoRB and national identity

- The Constitution of India makes an explicit claim to freedom of religion or belief although this right is regularly infringed by the government in practice.
- The Republic of India is a secular state.
- However, state privilege is bestowed to Hinduism.
- The constitution states that religious groups have the right to establish and maintain institutions for religious and charitable purposes, manage their own affairs in religious matters, and own, acquire, and administer property. It prohibits the use of public funds to support any religion. National and state laws make freedom of religion “subject to public order, morality, and health.” The constitution stipulates that the state shall endeavour to create a uniform civil code applicable to members of all religions across the country.

Recognition law

- Structures and procedures for existential recognition
 - **Minority-community status:** Federal law provides official minority-community status to six religious groups: Muslims, Sikhs, Christians, Parsis, Jains, and Buddhists.
 - State governments may grant minority status under state law to religious groups that are minorities in a particular region. Members of recognised minority groups are eligible for government assistance programs.
 - The constitution states that the government is responsible for protecting religious minorities and enabling them to preserve their culture and religious interests.
 - **Misrecognition:** the constitution states that any legal reference to Hindus is to be construed to include followers of Sikhism, Jainism, and Buddhism, meaning they are subject to laws regarding Hindus, such as the Hindu Marriage Act. Subsequent legislation continues to use the word Hindu as a category that includes Sikhs, Buddhists, Baha'is, and Jains,

but it identifies the groups as separate religions whose followers are included under the legislation.

- Evaluations
 - The government's imposition of misrecognition in any capacity is impermissible to RoRB standards.
 - Minority-community status is provided for through federal law but there does not seem to exist established procedures for a new belief community other than the ones already recognised to apply for this kind of existential recognition from the state is impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Conditional registration:** although the government does not mandate that all religious groups register with it, it does state that religious groups receiving any kind of foreign funding must register in accordance with the Foreign Contribution of Regulation Act (FCRA). The federal government may also require that licensed organisations obtain prior permission before accepting or transferring foreign funds.
 - **Procedure:** a religious group must send an application to the Ministry of Home Affairs in order to obtain a license to operate.
 - **Monitorial requirements:** to maintain audit reports on their accounts and a schedule of their activities and to provide these to state government officials upon request.
 - **Transference of funds:** legislation passed in September reduces the amount of funding that NGOs, including religious organisations, may use for administrative purposes from 50 to 20 percent and prohibits NGOs from transferring foreign funds to third parties – it is impermissible to RoRB standards for the government to stipulate how a religious group allocates its funds.
 - **Denial of registration:** the central government may reject a license application or a request to transfer funds if it judges the recipient to be acting against “harmony between

religious, racial, social, linguistic, regional groups, castes, or communities.”

- **Registration rate:** *in March, the MHA stated 22,678 NGOs had been granted registration under the FCRA during the last five years. The government also reported the registrations of 2,742 NGOs had been revoked from 2018 to 2020 for noncompliance, the most recent data available.*
- *NGOs, including faith-based organizations, continued to criticise the requirements of the FCRA as constraining civil society and religious organizations. According to the Ministry of Home Affairs, 5,789 NGOs lost their FCRA licenses because they did not file for their renewal. Some opposition political parties and faith-based NGOs described the regulations as “onerous” and difficult to comply with, making registration and renewal difficult. The government continued to say the FCRA law strengthened oversight and accountability of foreign NGO funding in the country.*

- Evaluations

- The imposition of conditional registration is impermissible to RoRB standards especially because registration should not be used as a prerequisite for foreign funding.
- The outlined monitorial requirements are permissible to RoRB standards as long as all groups submitting reports are treated equally and fairly and that requests for review are not made by the government more frequently than the standard annual review.

Law and policy on religion and belief

- Self-identification

- **Religious conversion:** ten of the 28 states in the country have laws restricting religious conversion: Arunachal Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Odisha, Rajasthan, Uttar Pradesh and Uttarakhand. Chhattisgarh, Madhya Pradesh, Uttarakhand, and Uttar Pradesh prohibit religious conversion by “force,” “allurement,” or “fraudulent means” and require district

authorities to be informed of any intended conversions one month in advance. Himachal Pradesh and Odisha maintain similar prohibitions against conversion through “force,” “inducement,” or “fraud,” and bar individuals from abetting such conversions. Odisha requires individuals wishing to convert to another religion and clergy intending to officiate at a conversion ceremony to submit formal notification to the government.

- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into India is permitted without restriction, both for personal and propagational use.
 - **Missionary activity:** the government requires foreign missionaries to obtain a missionary visa.
- Penal code
 - **Hate crimes:** *the federal penal code criminalises “promoting enmity between different groups on grounds of religion” and “acts prejudicial to maintenance of harmony,” including acts causing injury or harm to religious groups and their members. The penal code also prohibits “deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs.” Violations of any of these provisions are punishable by imprisonment for up to three years, a fine, or both. If the offence is committed at a place of worship, imprisonment may be for up to five years.*
 - **Prohibitions:** federal law empowers the government to ban religious organisations that provoke intercommunal tensions, are involved in terrorism or sedition, or violate laws governing foreign contributions.
 - **Religious conversion, proselytism and missionary activity:** *violators, including missionaries, are subject to fines and other penalties, such as prison sentences of up to three years in Chhattisgarh and up to four years in Madhya Pradesh if*

converts are minors, women, or members of Scheduled Castes or Scheduled Tribes. Gujarat mandates prior permission from the district magistrate for any form of conversion and punishes “forced” conversions with up to three years of imprisonment and a fine up to 50,000 rupees (\$680). In Himachal Pradesh, penalties include up to two years’ imprisonment, fines of 25,000 rupees (\$340), or both. Punishments for conversions involving minors, Scheduled Caste or Scheduled Tribe members, or in the case of Odisha, women, may include prison sentences. Under Andhra Pradesh and Telangana law, authorities may prohibit proselytising near places of worship. Punishment for violations may include imprisonment for up to three years and fines up to 5,000 rupees (\$68).

- Facilitation of religion or belief
 - **Investigative commission:** *the National Commission for Minorities, which includes representatives from the six designated religious minorities and the National Human Rights Commission, investigates allegations of religious discrimination. The Ministry of Minority Affairs may also conduct investigations. These agencies have no enforcement powers but conduct investigations based on written complaints of criminal or civil violations and submit findings to law enforcement agencies. Eighteen of the country’s 28 states and the National Capital Territory of Delhi have state minorities commissions, which also investigate allegations of religious discrimination.*
 - **Ombudsmanship:** although there are financial ombudspersons, there is currently no ombudsman office established in India to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Hindus:** *Modi had laid the foundation stone for a new Hindu temple on the site a month earlier, after a long-awaited 2019 Supreme Court judgment had permitted the construction of a temple there. The mosque had stood on the site for centuries prior to its unlawful destruction. The nonprofit group IndiaSpend documented*

45 killings by cow vigilantes between 2012 and 2018. More than 120 cases of cow-related violence, including lynchings, have been reported since Modi came to power, and the BJP has faced criticism for failing to mount an adequate response.

- **Muslims:** a number of Hindu nationalist organisations and some media outlets promote anti-Muslim views, a practice that the government of Prime Minister Modi has been accused of encouraging. Attacks against Muslims and others in connection with the alleged slaughter or mistreatment of cows, which are held to be sacred by Hindus, continued in 2020. In 2020, during the early weeks of the COVID-19 pandemic, the country's Muslims were widely and speciously blamed for spreading the coronavirus, including by ruling-party officials. Separately, in September, 32 individuals charged with orchestrating the illegal 1992 demolition of a prominent mosque in the state of Uttar Pradesh were acquitted by a special court, despite substantial evidence of their culpability. Among those exonerated were several high-profile members of the BJP.
- **RoRB and the caste system:** the constitution establishes the legal basis for preferential public benefit programs for Scheduled Caste or Scheduled Tribe communities and members of the "Other Backward Classes," a category for groups deemed to be socially and educationally disadvantaged. The constitution specifies only Hindus, Sikhs, or Buddhists are eligible to be deemed members of a Scheduled Caste. As a result, Christians and Muslims qualify for benefits if deemed to be members of "backward" classes due to their social and economic status.

Overview

- Restrictions are placed upon conversion and proselytism, including mandatory registration of conversion to provincial government in some states which does not correspond with the right of a person to change religion or belief, especially because violators of these types of laws face retribution.

- There exists an imbalance between requirements for local and foreign-sourced religious groups in favour of the former rather than the latter including mandatory annual reporting of activities.
- There are several persistent issues with religious recognition in India, including legislative language; state definition of groups is applied when the state groups Buddhists, Sikhs and Jains together under the banner of Hindus despite widespread acknowledgement of them as separate groups.
- Registration with the government does not equate to the same recognitory status as the six religious minorities and certain not to that of Hindus as the religious majority; attaining these existential recognised status.

Positive elements

- Commission established to registered cases of discrimination although limited to only recognised minorities.

Recommendations

- Establish provisions for existential recognition and reverse issues with misrecognition.
- Dismantle all forms of vertical recognition.
- Remove all restrictive policies on conversion and proselytism.
- Broad grounds for the denial of registration to be misuse against groups unfavoured by the state need to be applied responsibly.

Restriction tools implemented

- Caste system continues to undermine religious freedoms throughout the society.
- Conversions and thereby, proselytism, are restricted although with variance across different provinces.
- Normativism is existent in the society.
- Retributions exist for violators of conversion laws, namely fines and imprisonment.
- Stipulatory registration although not for groups receiving foreign sources of funding.

- Subjective language within the legislation should be continuously monitored for misuse against religious groups.
- Vertical recognition is in effect and its consequences on making recognised statuses unequal is widespread.

Indian Kashmir Overview

- A ban on Shiite Muslims' Muharram processions, which take place during a period of mourning at the Islamic new year, has been upheld for decades. Authorities closed some mosques for months in the wake of the 2019 revocation of autonomy, and many were shuttered again for about five months during a COVID-19 lockdown before restrictions were eased in August 2020. Also that month, security forces violently dispersed Muharram processions in Srinagar, causing multiple injuries.

Indian Kashmir Commentary

- Communal violence between Muslims and Hindus is ongoing but should be helped in its resolution through the use of recognition tools to reaffirm a message of diversity.

History of RoRB classification

- India has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Indonesia, Republic of — Censorious

RoRB and national identity

- The Constitution of Indonesia makes an explicit claim to freedom of religion or belief although this right is regularly infringed upon by the government in practice.
- The Republic of Indonesia is a secular state.
- The official state ideology of Pancasila guides government policy in Indonesia.
- The Republic extends existential recognition to six official religions: Islam, Protestantism, Catholicism, Buddhism, Hinduism and Confucianism.

Recognition law

- Structures and procedures for existential recognition
 - **State definition of religion:** religion has “a prophet, holy book, and deity, as well as international recognition” and the six official recognised religions are considered to fulfil this definition.
- Evaluations
 - The narrow definition of religion established by the state is impermissible to RoRB standards which state that definitions of registrable and recognisable religion and belief must remain inclusive rather than exclusive.
 - There are no officially established procedures for a new denomination to receive the same degree of recognition as the state ideology of Pancasila and the six officially recognised denominations.

Registration law

- Structures and procedures of legal registration

- **Discriminatory-mandatory registration:** the government only mandates that religious groups not part of the six official religions register with it or else they may not conduct activities classified “basic” in RoRB standards. There also separate registration procedures for indigenous religious groups. Organisations representing one of the six recognised religions listed in the blasphemy law are not required to obtain a legal charter if they are established under a notary act and obtain approval from the Ministry of Law and Human Rights.
- **Procedure:** the primary process of registration is that of obtainment of a legal charter to operate. Legal charters are dispensed by the Ministry of Home Affairs (MOHA). Consultations with the Ministry of Religious Affairs (MRA) also take place before a legal charter is granted to applicant religious groups.
 - **Indigenous groups procedure:** must register with the Ministry of Education and Culture as aliran kepercayaan to obtain official, legal status.
- **Legal designation:** civil society organisation is the designation for religious groups that are not part of the six recognised religions.
- **Qualifications:** all registered religious groups must uphold the national ideology of Pancasila which encompasses the principles of belief in one God, justice, unity, democracy, and social justice, and they are prohibited from committing blasphemous acts or spreading religious hatred.
- **Deregistration:** violations of the law may result in a loss of legal status, dissolution of the organisation, and arrest of members under the blasphemy articles of the criminal code or other applicable laws.
- **Signature quota for places of worship:** building a new house of worship requires the signatures of 90 congregation members and 60 local residents of different faiths.
- **Role of the MRA:** the government requires all officially registered religious groups to comply with directives from the MRA and other ministries on issues such as construction of houses of worship, foreign aid to domestic religious institutions, and propagation of religion.

- Evaluations
 - The imposition of a discriminatory-mandatory form of registration is impermissible to RoRB standards.
 - The broad grounds on which deregistration may be enforced to exclude unfavoured groups is impermissible to RoRB standards.
 - The qualification for successful registration that religious groups must hold the Pancasila ideology is impermissible to RoRB standards.
 - The imposition of a signature quota is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Identity documentation:** individuals may leave the “religion” section on their identity cards blank, but those who do—including adherents of unrecognised faiths—often face discrimination.
- Communal activity
 - **Foreign funding:** *a joint ministerial decree by the MORA and the MOHA requires domestic religious organizations to obtain approval from the MORA to receive funding from overseas donors and forbids dissemination of religious literature and pamphlets to members of other religious groups, as well as door-to-door proselytising. Religious groups, except for Ahmadi Muslims and Gafatar, are not forbidden from spreading their interpretations and teachings to other members of their religion in their own places of worship.*
 - **Foreign missionary activity:** *foreign religious workers must obtain religious worker visas, and foreign religious organizations must obtain permission from the MORA to provide any type of assistance (in-kind, personnel, or financial) to local religious groups.*

- **Hieronymy:** the importation of religious materials or devotional items into Indonesia is permitted but with restrictions imposed both for personal and propagational use. Any materials printed or digital that are anti-Muslim in nature or that promote communism are prohibited; this law could be interpreted broadly to include non-Islamic religious literature or atheist publications which may cause prohibition of such items being successfully imported. It is likely that an importer will need the MRA to review materials intended for import to provide its authorisation. It is likely that all non-Islamic religious materials will be restricted for importation into the Aceh province which enforces Sharia law.
 - The FedEx Cross Border global lists states that “books and printed materials that can disturb public order, includes unapproved books in Chinese and Indonesian language — packaging and product labels” are also prohibited.
- Penal code
 - There is insufficient information about Indonesia’s penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is an ombudsman office established to deal with maladministration of public services but it is unclear whether this includes the investigation of human rights complaints.

Social dimensions of RoRB

- **Atheists:** atheism is not accepted, and the criminal code contains provisions against blasphemy, penalising those who “distort” or “misrepresent” recognised faiths.
- **Minorities:** national and local governments fail to protect religious minorities and exhibit bias in investigations and prosecutions.

- **Non-Sunni Muslims:** *violence and intimidation against Ahmadi and Shiite communities persists, and the central government continues to tolerate persecution of these groups. However, in December 2020, the newly appointed religious affairs minister, Yaqut Cholil Qoumas—who is chair of the Islamic group Nahdlatul Ulama’s youth wing, Ansor—pledged to protect Shia and Ahmadiyah minorities and promote dialogue among different religious groups. The MORA maintained its authority at the national and local levels to conduct the “development” of religious groups and believers, including efforts to convert minority religious groups to Sunni Islam. Beginning in 2014, Ahmadiyya communities in several West Java regencies reported that local governments were forcing or encouraging the conversion of Ahmadi Muslims, using a requirement that Ahmadis sign forms renouncing their beliefs in order to register their marriages or participate in the Hajj.*

Overview

- Indonesia recognises Islam, Protestantism, Catholicism, Hinduism, Buddhism and Confucianism.
- Partial recognition emerges due to the fact that registration with the government does not equate to the same level as the six officially recognised belief systems.
- The government’s definition of what a religion constitutes immediately excludes non-theistic religions or belief systems that do not possess a prophet or the subjective requirement of “international recognition.”
- The rule of mandatory registration even just for unrecognised groups is a violation of the Bielefeldt provision.
- Widespread discrimination of minorities and those professing no belief is regarded as caused by a lack of recognition for such groups which would be resolved through the reaffirmation of recognised status.

Positive elements

- Existential recognition for belief systems and denominations is provided for but this apparatus is both misused and not universally applied equally among all belief systems.

Recommendations

- Dismantle the misused recognition system and replace with one that is inclusive of all belief systems, both traditional and NRMs.
- Halt government involvement in the internal affairs of religious organisations.
- Revoke all policies that seek to restrict religious activity or the broader registration process.

Restriction tools implemented

- Government involvement in the internal affairs of religious groups is widespread.
- Mandatory registration for religious groups that are not represented by the six officially recognised belief systems.
- Normativism is in effect.
- Partial recognition is in effect.
- Retributions for unregistration or for violation of policies, no matter how unjust, include fines and imprisonment.
- State definition of religion and belief.

History of RoRB classification

- Indonesia has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Iran, Islamic Republic of — Terminal

RoRB and national identity

- The Constitution of Iran makes no claim to freedom of religion or belief.
- The Constitution of Iran establishes Shia Islam, specifically the Twelver Ja'afari branch, as its state denomination.
- The constitution stipulates all laws and regulations must be based on “Islamic criteria” and an official interpretation of sharia. The constitution states citizens shall enjoy all human, political, economic, social, and cultural rights “in conformity with Islamic criteria.”
- The Constitution provides for freedom of the press, except when it is “harmful to the principles of Islam or the rights of the public.”
- The constitution bans parliament from passing laws contrary to Islam and states there may be no amendment to its provisions related to the “Islamic character” of the political or legal system, or to the specification that Twelver Ja'afari Shia Islam is the official religion.
- The constitution states that in regions where followers of one of the recognised schools of Sunni Islam constitute the majority, local regulations are to be in accordance with that school within the bounds of the jurisdiction of local councils and without infringing upon the rights of the followers of other schools.
- The constitution specifies the government must “treat non-Muslims in conformity with the principles of Islamic justice and equity, and to respect their human rights, as long as those non-Muslims have not conspired or acted against Islam and the Islamic Republic.”
- The country is a party to the International Covenant on Civil and Political Rights, but at ratification, it entered a general reservation “not to apply any provisions or articles of the Convention that are incompatible with Islamic Laws and the international legislation in effect”.

Recognition law

- Structures and procedures for existential recognition

- **Recognised religious minorities:** the Constitution states Zoroastrians, Jews, and Christians are the only recognised religious minorities. “Within the limits of the law,” they have permission to perform religious rites and ceremonies and to form religious societies. They are also free to address personal affairs and religious education according to their own religious canon. Since the law prohibits citizens from converting from Islam to another religion, the government only recognises the Christianity of citizens who are Armenian or Assyrian Christians, because the presence of these groups in the country predates Islam, or of citizens who can prove they or their families were Christian prior to the 1979 revolution.
 - **Misrecognition:** the government also recognises Sabean-Mandaeans as Christian, even though they state they do not consider themselves as such. The government often considers Yarsanis as Shia Muslims practicing Sufism, but Yarsanis identify Yarsan as a distinct faith (known as Ahl-e-Haq or Kakai). Yarsanis may also self-register as Shia to obtain government services.
 - **Benefits of recognition:** *the government continued to allow recognized minority religious groups to establish community centres and some self-financed cultural, social, athletic, and charitable associations.*
- Evaluations
 - The government’s use of misrecognition is impermissible to RoRB standards.
 - There are no procedures established for other minorities to be assigned the recognised status of “recognised religious minorities”.
 - There exists a vertical system of recognition in Iran in which Shia Islam sits at the top as the state denomination.

Registration law

- Structures and procedures of legal registration

- **Mandatory registration:** the government mandates that all groups part of one of the recognised religious minorities register with it. As no other groups are legally valid to operate in the country, there are procedures for their registration. The Ministry of Culture and Islamic Guidance and the Ministry of Intelligence and Security (MOIS) monitor religious activity. The Islamic Revolutionary Guard Corps (IRGC) also monitors churches.
- **Self-registration:** citizens are mandated to register their membership if they are part of one of the recognised religious minorities.
 - **Registration benefits:** registration conveys certain rights, including the use of alcohol for religious purposes.
 - **Christians converts:** the law does not recognize individuals who convert to Christianity as Christian. They may not register and are not entitled to the same rights as recognised members of Christian communities.
 - **Unregistration:** authorities may close a church and arrest its leaders if churchgoers do not register or unregistered individuals attend services.
- Evaluations
 - The imposition of a mandatory registration order on religious groups in Iran is impermissible to RoRB standards.
 - The state closing down religious buildings and arresting members that attend such establishments is impermissible to RoRB standards.
 - The imposition of a mandatory registration order on citizen members of one of the recognised religious minorities is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Electoral law:** *non-Muslims may not be elected to a representative body or hold senior government, intelligence, or military positions, with the exception of five of the 290 parliament seats reserved by the constitution for recognised*

religious minorities. There are two seats reserved for Armenian Christians, one for Assyrian and Chaldean Christians together, one for Jews, and one for Zoroastrians.

- **Employment law:** by law, non-Muslims may not serve in the judiciary, the security services (which are separate from the regular armed forces), or as public school principals. Officials screen candidates for elected offices and applicants for public-sector employment based on their adherence to and knowledge of Islam and loyalty to the Islamic Republic (gozinesh review requirements), although members of recognised religious minorities may serve in the lower ranks of government if they meet these loyalty requirements. Government workers who do not observe Islamic principles and rules are subject to penalties and may be fired or barred from work in a particular sector.
- **National identity cards:** in January 2020, the state-issued national identity card required for almost all government and other transactions changed to allow only citizens to register as belonging to one of the country's recognized religions. The Atlantic Council stated in September 2021, "Baha'i families, Yarsanis, Sabean-Mandaeans, and other religious minorities or atheists must either lie to receive a national identification card or be denied access to services, such as insurance, education, banking, and, most recently, public transportation." Previously, application forms for an ID card had an option for "other religions."
- **Non-Islamic religious expression:** citizens who are not recognised as Christians, Zoroastrians, or Jews may not engage in public religious expression, such as worshiping in a church or wearing religious symbols such as a cross. The government makes some exceptions for foreigners belonging to unrecognised religious groups.
- **Political activity:** the constitution permits the formation of political parties based on Islam or on one of the recognised religious minorities, provided the parties do not violate the "criteria of Islam," among other stipulations.

- **Relationship and marriage rights:** relationships between non-Muslim men and Muslim women are illegal, although few Westerners have been prosecuted. If a Muslim woman is found in a relationship with a non-Muslim man, she may be sentenced to be whipped.
- **Religion by default:** *the government considers any citizen who is not a registered member of one of these three groups or who cannot prove his or her family was Christian prior to 1979, to be Muslim. Under the law, a child born to a Muslim father is Muslim.*
- **Religious conversion:** *the law prohibits Muslims from changing or renouncing their religious beliefs. The only recognised conversions are from another religion to Islam. Conversion from Islam may be considered apostasy under sharia.*
- **Religious expression:** the constitution prohibits the investigation of an individual's ideas and states no one may be "subjected to questioning and aggression for merely holding an opinion."
- Communal activity
 - **Hierony:** the importation of Shia Islamic religious materials or devotional items into Iran is permitted without restriction, both for personal and propagational use. However, the importation of non-Islamic religious materials or devotional items for propagational purposes is likely prohibited due to the criminalisation of proselytising Muslims which carries the death penalty. Literature from unrecognised religions — any denomination other than Shia Islam, Catholicism, Judaism and Zoroastrianism — will face more restrictions. However, newer or alternative religious groups are likely to face even greater restriction, possible prohibition. As the Baha'i Faith is prohibited in the country, it is likely that Baha'i literature is also prohibited from being imported. Some aspects of the law on hierony and the strictness of their implementation remain unclear.

- **Personal status law:** *the constitution states the four Sunni schools (Hanafi, Shafi, Maliki, and Hanbali) and the Shia Zaydi school of Islam are “deserving of total respect,” and their followers are free to perform religious practices. It states these schools may follow their own jurisprudence in matters of religious education and certain personal affairs, including marriage, divorce, and inheritance.*
- **Proselytism:** it is illegal for a non-Muslim to engage in public persuasion or attempted conversion of a Muslim.
- Penal code
 - **Capital punishment:** *the penal code specifies the death sentence for moharebeh (“enmity against God,” which according to the Oxford Dictionary of Islam, means in Quranic usage “corrupt conditions caused by unbelievers or unjust people that threaten social and political wellbeing”), fisd fil-arz (“corruption on earth,” which includes apostasy or heresy), and sabb al-nabi (“insulting the Prophet” or “insulting the sanctities [Islam]”). According to the penal code, the application of the death penalty varies depending on the religion of both the perpetrator and the victim.*
 - **Proselytism of Muslims:** punishable by death.
 - **Religious conversion:** conversion away from Islam is a crime punishable by death.
- Facilitation of religion or belief
 - **Ombudsmanship:** the General Inspection Office stands as the ombudsperson of Iran and also the Administration Justice Court deals with instances of government employee discrimination. It is unclear though unlikely that these institutions would investigate human rights complaints, especially regarding religious freedom.

Social dimensions of RoRB

- **Baha'is:** *the government bars Baha'is from all government employment and forbids Baha'i participation in the governmental social pension system. Baha'is may not receive compensation for injury or crimes committed against them and may not inherit property. A religious fatwa from the Supreme Leader encourages citizens to avoid all dealings with Baha'is. Baha'is are systematically persecuted, sentenced to prison, and banned from access to higher education. Among other acts of repression during 2020, security forces raided the homes of dozens of Baha'is in cities across the country in November, seizing religious books and other material.*
- **Jews:** *according to media reports from 2018, the most recent reporting available, there were 13 synagogues in Tehran and approximately 35 throughout the country. Jewish community representatives said they were free to travel in and out of the country, and the government generally did not enforce a prohibition against travel to Israel by Jews, although it enforced the prohibition on such travel for other citizens. In March, a local Jewish community source told the Times of Israel the government permitted the Jewish community to maintain youth organizations, kosher facilities, and four Jewish schools. In November, Voice of America reported the law barred Jews, in addition to other recognized minorities, from serving in the judiciary and security services, and it further prohibited Jews from holding authority over Muslims in the armed forces. Media reported local sources were careful to avoid publicly discussing politics or the State of Israel.*
- **Nonconformist Muslims:** *the regime cracks down on Muslims who are deemed to be at variance with the state ideology and interpretation of Islam.*
- **Protestants:** *the government does not recognize evangelical Protestants as Christian. The government also subjects some non-Muslim minorities to repressive policies and discrimination, including Baha'is and unrecognised Christian groups.*
- **Sabean-Mandaeans:** *the Atlantic Council reported in September that Sabean-Mandaeans experienced hate speech and discrimination. One member of the community told a researcher,*

that “we cannot even choose and officially register a Mandaean name for our children because the state has always instilled a great fear of being interrogated in us.” According to the individual, Sabean-Mandaeans were often called “infidels and impure Muslims in the mosques.” They did not have the right to work in governmental agencies. Authorities denied self-employment permits “under various pretexts” and, in some cases, shut down their businesses.

- **Sufi Muslims:** in recent years, there has been increased pressure on the Sufi Muslim order Nematollahi Gonabadi, including destruction of its places of worship and the jailing of some of its members.
- **Sunni Muslims:** Sunni Muslims complain that they have been prevented from building mosques in major cities and face difficulty obtaining government jobs.
- **Yarsanis:** in January, Iran Wire reported that the Yarsani Consultative Assembly of Civil Activists issued a statement calling on the government to stop discriminating against Yarsanis, including depriving of them of government employment, the right to hold public office, the right to post-graduate education, and the right to serve as directors of companies. The assembly protested the compulsory teaching of Islamic sharia to Yarsani children. The assembly also called for amending the constitution to include the Yarsan religion as a recognized minority religion.

Overview

- Twelver Ja’afari Shia Islam is the state religion.
- Although Sunni Muslims, Bahá’ís, Christians and Zoroastrians are recognised as minorities, this has not exempted them from being persecuted by the government.
- Abuse of recognition in Iran is widespread and there exists a systematic and sophisticated apparatus of tools imposed to restrict all aspects of the religious lives of citizens, both Muslims and non-Muslims but with particularly severe retributions for the latter if rules are not followed.

- There exists no recognition system in Iran and therefore no formal procedures either for existential recognition of groups not already recognised as minorities or for legal registration.
- The Iranian government interprets human rights through the paradigm of Sharia law which does not correspond to international standards of religious freedom.
- The rule of mandatory registration violates the Bielefeldt provision and there exists several other aspects of the Iranian government's actions that severely violate the Durham principles including the lack of means for unrecognised groups to gain any type of legal protections.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present system established by the regime must first occur before any further recommendations can be made.
- Reinstitution of the penal code to reflect principles of international human rights on matters of FoRB.
- Abolish the vertical elements of the recognition system, pseudo-recognition of religious minorities, and misrecognition of unrecognised groups.

Restriction tools implemented

- A Muslim converting to a religion other than Islam is criminalised; only conversions to Islam are given legal recognition.
- Mandatory registration for recognised minority groups; unrecognised minorities are not allowed to organise.
- Members of unrecognised religions, or not recognised as a minority, are prohibited from all acts of public religious expression including the wearing of symbols.

- Muslims themselves are restricted in their own religious practices and in how they interpret Islam.
- Non-existence of a recognition system.
- Proselytism is prohibited for all religions except Shia Islam.
- Retributions for conversion to a religion other than Islam could result in capital punishment which is itself the retribution for other illegal acts.
- State definition of religion and belief, including state misclassifications of groups.
- State denomination (a form of state religion).

History of RoRB classification

- Iran has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Iraq, Republic of — Terminal

RoRB and national identity

- The Constitution of Iraq makes an explicit claim to freedom of religion or belief although this right is consistently and systematically infringed upon by the government in practice.
- The Constitution of Iraq establishes Islam as the state religion and as the “foundation source of legislation”, though no specifications are made as to a state denomination.
- The constitution protects the “Islamic identity” of the Iraqi people, although it makes no specific mention of Sunni or Shia Islam.
- The constitution also provides for freedom of religion or belief for all individuals, specifying Christians, Yezidis, and Sabean-Mandean; it does not explicitly mention followers of other religions or atheists. In practice, many Iraqis have been subjected to violence and displacement due to their religious identity.

Recognition law

- Structures and procedures for existential recognition
 - The Iraqi government extends existential recognition to the following religious communities under personal law status: Muslims, Chaldeans, Assyrians, Assyrian Catholics, Syriac Orthodox, Syriac Catholics, Armenian Apostolic, Armenian Catholics, Roman Catholics, National Protestants, Anglicans, Evangelical Protestant Assyrians, Seventh-day Adventists, Coptic Orthodox, Yezidis, Sabean-Mandean, and Jews.
 - Religious communities that have been recognised (apart from Yezidis), under personal law status, can establish their own courts to adjudicate on issues such as marriage, divorce and inheritance in accordance with the tenets of their respective religions.
 - Followers of recognized religious groups, including Baha’is (recognized only in the KRG) and Yezidis (recognized by both the central government and the KRG), reported the KRG allowed them to observe their religious holidays and festivals

without interference or intimidation. Provincial governments also continued to designate festivals as religious holidays in their localities.

- All recognised communities are also able to appoint legal representative who can perform legal transactions, such as buying and selling property for the community.
- Financial support for recognised groups: There are three diwans (offices) responsible for administering matters for the recognised religious groups within the country: the Sunni Endowment Diwan, the Shia Endowment Diwan, and the Endowment of the Christian, Yezidi, and Sabean-Mandean Religions Diwan. The three endowments operate under the authority of the Office of the Prime Minister (OPM) to disburse government funds to maintain and protect religious facilities.

- Evaluations

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** outside Iraqi Kurdistan, there is no mechanism for new religious groups or groups not already recognised to receive existential recognition nor legal registration.
 - **Stipulatory registration:** within Iraqi Kurdistan, religious groups can register with the Kurdistan Regional Government's Ministry of Endowment and Religious Affairs (KRG MERA).
 - **Membership quota:** a group must have a minimum of 150 adherents.
 - **Informational requirements:** provide documentation on the sources of its financial support and that demonstrate it is not "anti-Islam."
 - Eight faiths are recognised and registered with the KRG MERA: Islam, Christianity, Yezidism, Judaism, Sabean-Mandaeism, Zoroastrianism, Yarsanism, and the Baha'i Faith.
 - **Financial support:** the KRG MERA operates endowments that pay salaries of clergy and fund construction and

maintenance of religious sites for Muslims, Christians, and Yezidis but not for the other five registered religions.

- Evaluations

Law and policy on religion and belief

- Self-identification
 - **Child religiosity:** a 2015 religious conversion law automatically designates the children of a parent who has converted to Islam as Muslim, even if the other parent is a non-Muslim.
 - **Identity documentation:** *national identity cards issued since 2016 do not denote the bearer's religion, although the online application still requests this information, and a data chip on the card still contains data on religion. The only religions that may be listed on the national identity card application are Christian, Sabean-Mandean, Yezidi, Jewish, and Muslim. There is no distinction between Shia and Sunni Muslims, or a designation of Christian denominations. Individuals practicing other faiths may only receive identity cards if they self-identify as Muslim, Yezidi, Sabean-Mandean, Jewish, or Christian. Without an official identity card, one may not register a marriage, enrol children in public school, acquire passports, or obtain some government services. Passports do not specify religion.*
 - Zoroastrian, Kaka'i, and Baha'i leaders again reported that their religion was listed as "Islam" on their federal identification cards, a common problem reported by members of unrecognized religious minority groups due to the country's constitution and its personal status law.
 - According to Christian leaders, authorities continued to force Christian families formally registered as Muslim but privately practicing Christianity or another nonIslamic faith to either register their children as Muslims, or to have the children remain undocumented by federal authorities, thereby denying them the ability to legally convert from Islam. They said that remaining undocumented affected the family's eligibility for

government benefits, such as school enrolment and ration card allocation for basic food items, which are determined by family size. Larger families with legally registered children received higher allotments than those with undocumented children. In November, media reported that a Christian woman said she had converted to Islam to obtain a divorce because it was difficult as a Christian to obtain church permission to divorce. At the time of her conversion, her sons and daughters were minors. When she tried to renew their official papers, she discovered that her children had also been converted to Islam by law.

- Communal activity
 - **Hierarcy:** the importation of non-Islamic religious materials or devotional items into Iran is restricted if not entirely prohibited, both for personal and propagational use. It is assumed that the prohibition of the Baha'i religion in the country means the importation of Baha'i literature and items is prohibited.
 - The FedEx Cross Border global lists states that "items offensive to Muslim culture" are prohibited for importation into Iraq which could easily be interpreted as encompassing non-Islamic religious materials and devotional items.
 - **Religious buildings and sacred places:** *the law requires the government to maintain the sanctity of holy shrines and religious sites and guarantee the free practice of rituals for recognised religious groups. The penal code criminalises disrupting or impeding religious ceremonies and desecrating religious buildings. The penal code imposes up to three years' imprisonment or a fine of 300 dinars (26 cents) for such crimes.*
 - **Religious conversion:** civil laws provide a simple process for a non-Muslim to convert to Islam, but the law forbids conversion by a Muslim to another religion.
- Penal code

- **Blasphemy law:** blasphemy laws remain in the legal code, although enforcement is rare.
- **Prohibitions:** *the practice of the Baha'i Faith and prescribes 10 years' imprisonment for anyone practicing the Baha'i Faith. This law seems to be dormant in practice as the KRG does not enforce the federal ban and recognises it as a religion, while in other parts of the country the law generally is not enforced. This apparent dormancy, however, does not negate the fact that the prohibition exists at all and is unacceptable to RoRB standards. One should also consider whether the fact that law is not enforced really means that Baha'is in the country have freedom; just because a law isn't enforced doesn't mean it can't be because it is on the federal books. The fact that the law is not enforced may mean that it works as a deterrent to prevent people from converting to the Baha'i Faith.*
 - The law does not specify penalties for the practice of unrecognised religious groups other than Baha'is – including Wahhabi Islam, Zoroastrianism, and Yarsanism; however, contracts signed by institutions of unrecognised religious groups are not legal or permissible as evidence in court.
 - *NGOs continued to state that constitutional provisions on freedom of religion should override laws banning the Baha'i Faith and the Wahhabi branch of Sunni Islam. During the year, however, there were again no court challenges filed to invalidate the laws, and no legislation proposed to repeal them.*
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Iraq to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Businesses:** restaurants serving alcohol and liquor stores have faced harassment and attacks, further eroding religious freedom.

- **Political support for religious pluralism:** most political leaders expressed support for religious pluralism after IS's defeat, and minorities living in liberated areas have largely been able to practice their religion freely since.
- **Terrorism:** places of worship have often been targets for terrorist attacks.

Overview

- The state religion is Islam.
- There exists no official recognition for belief systems and their related communities in Iraq.
- Although various religious communities are recognised in the law, all groups are subject to severe restrictions on their religious activity, particularly non-Muslim groups.
- A nationwide ban on the Baha'i Faith is particularly terminal in its application.
- The attribution of offices (diwans) in dealing with their respective denominations does not cover all recognised denominations such as Jews.
- The repression experienced under the ISIS occupation of parts of Iraq still reverberates although the situation has improved since.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the abuse of recognition is essential to making any further headway to attaining genuine religious freedom in Iraq; this means halting the persecution of minorities, establishing a recognition system that has provisions for both existential recognition and legal registration and the disestablishment of Islam.

Restriction tools implemented

- Ambiguousness remains as to the penalties prescribed for not registering.
- Conversion from Islam to another religion or to non-belief is criminalised.
- National identity cards are used to restrict what religious minorities are legally able to do including marriage.
- Nationwide ban on Baha'i Faith.
- Proselytism for any non-Muslim is illegal.
- Recognition system is non-existent.
- State religion.

Iraqi Kurdistan

- There does exist an established recognition system through the Kurdistan Regional Government but it imposes a membership quota and its requirement for a religion not to be "anti-Islam" is hardly practicable for any religion that is not Islamic.

History of RoRB classification

- Iraq has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Ireland, Republic of — Apathetic

RoRB and national identity

- The Irish Constitution makes an explicit claim to freedom of religion or belief, a claim the government broadly upholds in practice.
- The Republic of Ireland is a secular state.
- However, the Catholic Church is extended state privilege by the government.

Recognition law

- Structures and procedures for existential recognition
 - There is no legal requirement for religious groups to register with the government, nor is there any formal mechanism for government recognition of a religious group.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Ireland demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not require religious groups to register to conduct basic religious activities but registering does provide groups with exemptions from tax.
 - **Procedure:** religious groups should send an application to the Revenue Commissioners.
 - **Legal designation:** religious groups registering for tax-exempt status are classified as a charity or an NGO.

- **Qualifications:** groups must operate exclusively for charitable purposes and should also have a ratified constitution in which the public benefit of the organisation must be identified.
 - **Charity law:** the law requires all charitable organisations carrying out activities in the country to register with and to provide certain information relating to their organisation to the Charities Regulator, a government-appointed independent authority; a form of mandatory registration.
 - **Monitorial requirements:** the Regulator maintains a public register of charitable organisations and ensures their compliance with the law. Organisations must apply their income and property solely toward the promotion of their main charitable object, as set out in their governing instruments (such as constitution, memorandum and articles of association, deed of trust, or rules).
- Evaluations
 - The imposition of stipulatory registration is permissible as long as stipulations made do not make registration a prerequisite of any “basic religious activity”.
 - The establishment of monitorial requirements is permissible to RoRB standards as long as these are conducted fairly and that all denominations and BBOs are treated equally.
 - The implementation of a mandatory order for organisations conducting charitable activities (which includes BBOs) is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Ireland as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity

- **Hieronymy:** the importation of religious materials or devotional items into Ireland is permitted without restriction, both for personal and propagational use.
 - However, there exists a caveat in the legislation by the Irish Tax and Customs Office stating that “any book...may be referred to the Censorship of Publication Board for a decision as to their suitability” before successful importation.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Ireland’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Office of the Ombudsman was set up under the Ombudsman Act 1980 and deals with complaints set against the government. There are other ombudspersons in the country to deal with financial and legal issues.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Ireland for this First Edition of *Recognition of Religion or Belief*.

Overview

- There is no formal recognition system in Ireland.
- The state privilege of the Catholic Church remains ambiguous.
- A semblance of recognition is achievable through a religious group’s application for tax-exempt status as a charity although this procedure is available to secular entities also.
- Partial recognition is in effect whereby no belief system or denomination has the opportunity to receive the same privileges as the Catholic Church.

Positive elements

- The government broadly upholds freedom of religion or belief.

Recommendations

- Establish a recognition system that can provide both existential recognition and legal registration simultaneously and at different levels of activity.
- To become Dynamic, established a recognition agency that is independent of government to manage the newly established recognition system.

Restriction tools implemented

- Ambiguity and unstructure are widespread.
- Partial recognition is in effect.
- State privilege.
- Stipulatory registration.

History of RoRB classification

- Ireland was originally classified Ambiguous in the first iteration of the RoRB Index in 2021.
- However, the 2022 RoRB Index reclassifies Ireland as Apathetic as part of the movement away from widespread use of the Ambiguous classification.

Isle of Man — Restrictive

RoRB and national identity

- UK law on religious recognition is applied in the Lordship of Mann as a British Crown Dependency.
- Anglicanism is the state denomination of the territory.

Recognition law

- Structures and procedures for existential recognition
 - The Church of England is the only denomination to be granted existential recognition in the territory.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in the Isle of Man as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in the Isle of Man as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into the Isle of Man is permitted without restriction, both for personal and propagational use.
- Penal code

- There is nothing of particular concern to RoRB standards in the present version of the Isle of Man's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is a financial ombudsman on the Isle of Man but it is likely that any cases of human rights violation in this territory would be investigated by the Parliamentary and Health Service Ombudsman which holds ombudsmanship jurisdiction for England, the three Crown Dependencies and possibly some overseas territories.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in the Isle of Man for this First Edition of *Recognition of Religion or Belief*.

Overview

- Unsure of the existence of a recognition system – perhaps connected to the United Kingdom.

Restriction tools implemented

- Percolative recognition.

History of RoRB classification

- The Isle of Man has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Israel, State of — Restrictive

RoRB and national identity

- The Constitution for Israel makes a partial claim to freedom of religion or belief and although the government generally respects this right in practice, there are some infractions on this right.
- The State of Israel is a secular state
- State privilege is extended to Judaism by the government and the state is known to support Orthodox Jewish institutions.

Recognition law

- Structures and procedures for existential recognition
 - **Recognised religions:** Judaism, Christianity, Islam, the Druze faith, and the Baha'i Faith are the only religions recognised in law.
 - **Recognition through an Ottoman millet:** Christian religious communities recognised according to the adopted Ottoman millet (court) system include Eastern Orthodox, Latin (Roman Catholic), Gregorian-Armenian, Armenian Catholic, Syrian Catholic, Chaldean (Chaldean Uniate Catholic), Greek Catholic Melkite, Maronite, Syrian Orthodox, and Evangelical Episcopal.
 - **Recognition through British Mandate-era law:** Anglican and Baha'i communities.
 - **Unrecognised groups:** the government does not recognize other religious communities, including major Protestant denominations with a presence in the country, as distinct ethnoreligious communities.
 - **Jews:** *Israeli government regulations recognize 16 sites as holy places for Jews, while various other budgetary and governmental authorities recognize an additional 160 places as holy for Jews.*
- Evaluations

- The five recognised religions are the only ones recognised and the government has made no efforts to establish a procedure whereby new belief systems or denominations may be added to this list which is impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct activities classified by RoRB standards as “basic” and therefore reasonable to conduct without registration. The language of the legislation amalgamates existential recognition with that of legal registration. There are two pathways for registration of a religious group in Israel as adopted from the British Mandate period, each of which result in the same degree of recognition for the group.
 - **First procedure:** a petition can be sent to the Prime Minister’s Office.
 - **Second procedure:** a petition can be sent to the Ministry of Interior (MOI).
 - **Registration benefits:** places of worship are exempt from taxation and are eligible to have separate courts to apply their religion’s personal status law.
 - **Property tax:** municipalities may levy property taxes on religious properties not used for prayer, such as monasteries, pilgrim hostels, and soup kitchens.
 - **Denial of registration:** groups may appeal rejected applications to the Supreme Court.
- Evaluations
 - The implementation of a stipulatory registration policy is permissible to RoRB standards.
 - Alternative procedures for registration are permissible to RoRB standards but one swift, fair procedure of registration triumphs two or more procedures that are inaccessible or are onerous.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Israel as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Israel is permitted without restriction, both for personal and propagational use.
 - **National identity cards**: *membership in a recognized religion is recorded in the National Registry and generally passed from parents to children unless a person changes it through a formal conversion to another recognized religion. Religious identification is listed in the National Registry but not on official identity cards.*
- Penal code
 - There is insufficient information about Israel's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship**: the State Comptroller acts as the ombudsperson in Israel through the Office of the Ombudsman.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Israel for this First Edition of *Recognition of Religion or Belief*.

Overview

- Judaism is the state religion.
- Recognition and registration are amalgamated rather than differentiated and there exists an emphasis on the former as existential recognition rather than latter as legal registration.
- The Israeli recognition system is misused to ostracise groups that it does not recognise; any group not already recognised in Israeli law hasn't the opportunity gain recognition through formal procedures without political involvement.

Positive elements

- Nil.

Recommendations

- Establish a recognition system that has sufficient provisions for both existential recognition and legal registration simultaneously and at different levels of activity.
- Remove existent abuses of the recognition system that have amounted to stagnation of recognition processes and overall caused violations of citizens' religious freedoms.

Restriction tools implemented

- Partial recognition is in effect.
- Politicisation of religious freedom is widespread as is the politicisation of the recognition system and its procedures.
- Stagnation in the recognition of new groups.
- State religion.
- Stipulatory registration.

History of RoRB classification

- Israel has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Italian Republic — Restrictive

RoRB and national identity

- The Italian Constitution makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice but with some infractions.
- The Italian Republic is a secular state.
- There is no official religion but the Catholic Church is extend state privilege.
- While the Roman Catholic Church receives certain benefits under a treaty with the state, other groups have access to similar benefits through their own accords but achieving those accords remains the difficulty. Some local governments have raised obstacles to the construction and recognition of mosques, and right-wing political parties have stoked anti-Muslim attitudes. Antisemitic acts have also trended upward in recent years.

Recognition law

- Structures and procedures for existential recognition
 - **State privilege:** imposed in favour of the Catholic Church. State privilege for the Catholic Church is also identifiable when looking at terminology used as legislation is based on a Catholic and non-Catholic dichotomy which is generally not used in truly secular states where there is no favouritism for certain religions or denominations. Despite the reality of state privilege, the Constitution bestows equal treatment and free relations between the state and religious groups. The Catholic Church is the only legally recognised group exempted from MOI monitoring, in accordance with the concordat (a kind of bilateral cooperation agreement specific to the Catholic Church) between the government and the Holy See.
 - **Bilateral cooperation agreements:** called accords in Italian legislation, these agreements establish official relations between a religious institution and the government. Whether a bilateral cooperation agreement constitute official recognition from the state remains a point of dispute with

some countries explicitly stating it does while others using the bilateral cooperation method do not specify with it does or not. In the case of the Italian Republic, it is expected that a bilateral cooperation agreement does achieve a degree of official recognition but certainly not to the equivalence of the Catholic Church which makes the Italian Republic's recognition system vertical (or hierarchical).

- **Procedure of establishing relations:** a request must first be submitted to the Office of the Prime Minister. Negotiations should then ensue between the government and group representatives over a draft agreement which then must be approved by the Council of Ministers. The Prime Minister then signs and submits the agreement to parliament for final approval. The nature of the agreement is that it will mediate and orient the relations between the state and the religious group, including what kinds of state support the group will receive.
- **Bilateral cooperation agreement benefits:** *an accord grants clergy automatic access to state hospitals, prisons, and military barracks, allows for civil registry of religious marriages, facilitates special religious practices regarding funerals, and exempts students from school attendance on religious holidays. Any religious group without an accord may request these benefits from the MOI on a case-by-case basis. An accord also allows a religious group to receive funds collected by the state through a voluntary 0.8 percent of personal income tax set-aside on taxpayer returns. Taxpayers may specify to which eligible religious group they would like to direct these funds.*
- *According to leaders of the Islamic Cultural Center of Italy, the government once again did not make significant progress on reaching an accord with the Muslim community, despite dialogue underway with various Islamic religious entities. The MOI continued to recognize only the Islamic Cultural Center of Italy, which administers the Great Mosque of Rome, as a legal religious entity, making it the only Islamic entity eligible to sign an accord with the government. The government continued to recognize other Muslim groups as nonprofit organizations.*

- Evaluations
 - The imposition of state privilege is impermissible to RoRB standards.
 - The establishment of procedures for bilateral cooperation agreements is welcomed but their expansion to more groups and newer or smaller denominations is necessary.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** the registration procedures in the Italian Republic are handled by the Ministry of Interior (MOI) and have been identified as pseudo-mandatory meaning they are not explicitly stated as mandatory by the government but some basic religious activities are not fully exercisable by all groups. It is important to note that legal registration is a prerequisite for a group to establish a bilateral cooperation agreement (called an accord) with the state.
 - **Registration procedure:** a group can apply by submitting to a prefect, a local representative of the MOI, a request for registration including the group's statutes. The group's statutes must not conflict with the law which is a broad stipulation, possibly vulnerable to misuse if included with nefarious intent. MOI also requests that group's submit to its monitoring of their budgets and internal organisation and activities — the degree of stringency of these monitorial activities is unclear but they are not likely to possess nefarious intent based on the Italian Republic's broader respect for FoRB.
 - **Reservations:** the MOI reserves the right to appoint a commissioner to administer the religious group if it identifies irregularities in the group's activities – this is a violation of RoRB standards.
 - **Informational requirements:** a report on its goals and activities; information on its administrative offices; a three-year budget; certification of its credit status by a bank; and

certification of the Italian citizenship or legal residency of its head.

- **Registration benefits:** tax-exempt status and legal entity status are the main benefits of registration in the Italian Republic. Other benefits include the legal recognition of their marriages, access to hospitals and prisons, and other benefits (find out full list). A provision is made in law that a religious group without an accord can request these benefits from the MOI on a case-by-case basis.
 - **State funding:** *An accord also allows a religious group to receive funds collected by the state through a voluntary 0.8 percent set-aside on taxpayer returns. Taxpayers may specify to which eligible religious group they would like to direct these funds. The government set aside 1.23 billion euros (\$1.41 billion) via this mechanism during the year, of which more than 81 percent went to the Catholic Church.*
- **Alternative registration:** unregistered religious groups may still operate legally as NGOs and obtain tax-exempt status, the legal recognition of their marriages, and access to hospitals and prisons. It is stated in legislation that establishing an accord with the government significantly facilitates these activities. It is unclear whether unregistered groups have any chance to participate in some of these activities that are often central to religious activity which does make registration in the Italian Republic pseudo-mandatory.

- Evaluations

- The imposition of pseudo-mandatory registration is impermissible to RoRB standards.
- The imposed informational requirements is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Italy as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** *all missionaries and other foreign religious workers from countries that are not European Union members or signatories of the Schengen Agreement must apply for special religious activity visas before arriving in the country. An applicant must attach an invitation letter from his or her religious group to the application.*
 - **Hierarcy:** the importation of religious materials or devotional items into Italy is permitted without restriction, both for personal and propagational use.
 - **Renting land for religious purposes:** *local governments continued to rent out public land at discounted rates to non-Muslim religious groups, usually Catholic, for constructing places of worship. Government funding also helped preserve and maintain historic places of worship, which were almost all Catholic. In September, Vicenza municipal authorities transferred a municipal facility to a Catholic parish for its use for nine years, with an annual rent of 120 euros (\$140).*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Italy's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** many regional and provincial government bodies have their own ombudspersons but there is no nationwide ombudsman office.

Social dimensions of RoRB

- **Muslims:** *on April 20, the city of Fermignano modified its zoning plan to officially recognize the headquarters of the local Islamic Cultural Association as a place of worship. On May 6, Fermignano mayor Emanuele Feduzi stated that the decision “was a sign of civilization; we couldn’t disregard the request of the Muslim community. Local authorities were also the first in the province [of Pesaro e Urbino] to grant cemetery spaces to religious minorities during the pandemic, a decision that has been a source of inspiration for several other cities.”*
- *Media reported that on April 15, the city of Pisa authorized the construction of a mosque. The decision followed the July 2020 ruling of the Tuscany Regional Administrative Court to annul city council plans in 2019 that prevented the Pisa Islamic Association from building a mosque on land it had purchased. Pisa city officials had stated at the time that the lot was not large enough for the planned building, while a local imam said the city council had always been hostile to the mosque’s construction. In July, the Pisa Islamic Association launched a crowdfunding campaign to build the facility.*
- *According to media reports, Muslim leaders stated they continued to experience difficulty obtaining permission from local governments to construct mosques. Local officials continued to cite lack of zoning plans allowing for the establishment of places of worship on specific sites as a reason for denying construction permits, rather than anti-Muslim sentiment. Some Muslim leaders, however, stated they believed some local authorities were using all possible legal means to block the construction of new mosques in their regions.*
- *According to weekly magazine Panorama, there were also an estimated 800 to 1,200 unofficial, informal places of worship for Muslims in 2019 (the most recent figure), known colloquially as “garage” mosques. According to press reports, authorities allowed most to operate, but they did not officially recognize them as places of worship.*

Overview

- The Catholic Church has state privilege; there are currently no procedures for a religious group to attain the same level of

existential recognition as Catholicism in Italy causing a situation of partial recognition.

- Bilateral cooperation agreements manage state relations with religious entities.
- The process for establishing an accord is highly political by nature, firstly dependent upon the prime minister's approval and then parliament's; this politicisation of the process is not ideal.

Positive elements

- Nil.

Recommendations

- Establish a recognition agency to manage religious recognition independent of government.
- Revoke excessive informational requirements.

Restriction tools implemented

- Partial recognition is in effect.
- Politicisation of the registration process.
- State privilege.

History of RoRB classification

- Italy was originally classified as Apathetic in the SRR as part of the 2021 RoRB Index.
- However, with the identification of its registration procedures as pseudo-mandatory due to the emergence of the category "basic religious activity" as a primary determiner of a country's RoRB conditions, Italy has been reclassified as Restrictive for the 2022 instalment of the RoRB Index.

Jamaica — Censorious

RoRB and national identity

- The Constitution of Jamaica makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice although with some infractions.
- Jamaica is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Jamaica.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Jamaica demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups need only register with the government if they seek to gain certain legal and financial benefits. The Jamaican registration system uses a process of incorporation; incorporated status is therefore equivalent legal entity status in other countries. The Companies Office of Jamaica, an executive agency, deals with this incorporation process.
 - **Procedure:** the submission of an application form for the Companies Office of Jamaica. There is no distinction made between NGO registration and religious group registration which is advised to be done according to the RFSRB.

- **Registration benefits:** the ability to hold land, enter into legal disputes as an organisation, and allow their clergy to visit prisoners.
- **Registration fee:** a fee of 24,500 Jamaica dollars (\$160).
- **Monitorial requirements:** groups incorporated through this process must subsequently submit annual reports and financial statements to the Companies Office.
- **Alternative procedure:** religious groups do have the opportunity to petition for parliament to incorporate based on parliamentary act. The registration benefits received through this procedure are the same as the main procedure although the monitorial requirements differ in that a group incorporated through parliamentary act does not need to submit annual reports.
- **Tax-exempt status:** achieving incorporated status does not bring with it tax-exemptions as to have tax-exempt status a group must register as a charity regardless of whether they are incorporated or not.
 - **Procedure:** to be considered a charity, an organisation must apply either to the Department of Co-operatives and Friendly Societies, located in the Ministry of Industry, Commerce, Agriculture, and Fisheries, or to the Companies Office. Once registered, groups also submit their registration to the Jamaica Customs Agency in the Ministry of Finance and the Public Service and apply to Tax Administration Jamaica to be considered for tax-free status.

- Evaluations

- The implementation of stipulatory registration is permissible to RoRB standards as long as no stipulations intervene with the practice of “basic religious activities”.
- The imposition of a \$160 registration exceeds the \$100 threshold set by RoRB standards.
- There is insufficient distinction made between the registration of secular and religious organisations.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in ___ as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** foreign religious workers, regardless of affiliation, who visit the country to work with a religious organisation must obtain a visa and a work permit from the Ministry of Labor and Social Security.
 - **Hieronymy:** the importation of religious materials or devotional items into Jamaica is permitted without restriction, both for personal and propagational use.
- Penal code
 - **Prohibitions:** both Obeah and Myalism remain banned under a colonial-era law with punishment for practicing either being 12 months imprisonment.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Office of the Public Defender was created in 2000 and fulfils the function of investigating maladministration and alleged violations of constitutional rights.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Jamaica for this First Edition of *Recognition of Religion or Belief*.

Overview

- An administration fee for the registration process borders on being inappropriately overpriced.

- There is no distinction between registration procedures for secular or religious entities.
- There is a multi-step process for receiving tax-exempt status that is unnecessarily administrative.
- The rule of mandatory annual reporting is restrictive.

Positive elements

- Nil.

Recommendations

- Establish a recognition system that has sufficient provisions for both existential recognition and legal registration simultaneously and at different levels of activity.
- Reduce excessive registration fee and revoke vertical registration system.

Restriction tools implemented

- Dormant laws banning Myalism and Obeah exist.
- Stipulatory registration.
- Unstructure exists.

History of RoRB classification

- Jamaica was originally classified as Apathetic in the SRR as part of the 2021 RoRB Index.
- However, Jamaica has been reclassified as Censorious for the 2022 instalment of the RoRB Index due to the ongoing prohibition of the Obeah and Myalism religions.

Japan — Restrictive

RoRB and national identity

- The Constitution of Japan makes an explicit claim to freedom of religion or belief and although this right is generally upheld in practice, the government does infract the right in some instances.
- Japan is a secular state.
- However, the Shinto religion still receives state privilege; Japan has a history of establishing State Shinto as its official religion.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Japan.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Japan demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups do not need to register with the government except if they wish to receive certain benefits and therefore “basic religious activities” can be conducted without registration.
 - **Legal designation:** the registration process in Japan is called certification and the legal designation for groups that complete this process is corporate status.
 - **Registration benefits:** do not have to pay income tax on donations and religious offerings used as part of their operational and maintenance expenses.

- **Qualifications:** *to prove they have a physical space for worship and their primary purpose is disseminating religious teachings, conducting religious ceremonies, and educating and nurturing believers.*
- **Informational requirements:** *an applicant must present in writing a three year record of activities as a religious organisation, a list of members and religious teachers, the rules of the organisation, information on the method of making decisions on managing assets, statements of income and expenses for the past three years, and a list of assets (these informational requirements in effect create a **longevity quota** for registrant religious groups.*
- **Prefecturalisation:** *the law stipulates that prefectural governors have jurisdiction over groups seeking corporate status in their respective prefecture, and that groups must apply for registration with prefectural governments.*
 - **Exceptions:** *groups with offices in multiple prefectures may register with the Ministry of Education, Culture, Sports, Science, and Technology (MEXT).*
- **Procedure:** *after the MEXT minister or a prefectural governor confirms an applicant meets the legal definition of a certified religious group with corporate status, the law requires the applicant to formulate administrative rules pertaining to its purpose, core personnel, and financial affairs. Applicants become religious corporations after the MEXT minister or governor approves their application and they register.*
- **Monitorial requirements:** *the law requires certified religious corporations to disclose their assets, income, and expenditures to the government. The law also authorises the government to investigate possible violations of regulations governing for-profit activities. Authorities have the right to suspend a religious corporation's for-profit activities for up to one year if the group violates the regulations.*
- **Registration rate:** *according to the ACA, central and prefectural governments had certified 180,828 groups as religious groups with corporate status as of the end of 2019, the most recent statistics available. The large number reflected local units of religious groups registering separately. The*

government generally certified corporate status for religious groups when they met the requirements.

- Evaluations
 - The implementation of stipulatory registration is permissible to RoRB standards as long as no stipulations intervene with the practice of “basic religious activities”.
 - The prefecturalisation of registration procedures is impermissible to RoRB standards.
 - The requested informational requirements are impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Japan as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Japan is permitted without restriction, both for personal and propagational use.
 - **Pastoral activities:** *the law stipulates that worship and religious rituals performed by inmates in penal institutions, alone or in a group, shall not be prohibited. To support the law and the constitutional right to religious freedom, the Ministry of Justice offers inmates access to volunteer chaplains from various faiths in prisons.*
 - **Public land use for religious purposes:** *in February 2021, the Supreme Court ruled that the Naha city government violated the constitutional separation of religion and state by allowing a Confucian temple to use public land at no cost. The city government exempted the temple from paying an annual rent of 5.75 million yen (\$50,000) on the grounds that the*

temple served as a tourist attraction. The court, however, ruled the public could conclude the municipal government was supporting a specific religion, which is a violation of the constitutional right to freedom of religion, and it ordered the city to charge the organization the full rent.

- **State funding:** *the JAORO said that the national government did not allow religious groups with corporate status to access some of the government's welfare payment and subsidy for those businesses and individuals financially impacted by COVID-19. The JAORO stated that the government interpreted the constitution's provision on separation of religion and state in an excessively rigorous manner, saying the government's denial of access for religious groups with corporate status was discriminatory. The government stated, however, that the denial was due to the groups' corporate status. According to the JAORO, some local municipalities, including Minato and Suginami wards (cities) in Tokyo Prefecture, collaborated with religious groups with corporate status to prevent the spread of COVID-19, such as using facilities of religious groups with corporate status as sites for mass vaccination organised by the municipalities. In January, the ACA officially expressed a view that activities by religious groups with corporate status that contribute to society, including activities for countering disaster and assisting communities, could be interpreted as religious activities. This was a change from the previous interpretation of such activities conducted by religious groups with corporate status as enterprises for public welfare by law. The JAORO said the new interpretation helped expand the role of religious groups in society.*

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Japan's penal code.
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Japan to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Japan for this First Edition of *Recognition of Religion or Belief*.

Overview

- There exists an unstructured recognition system.
- There doesn't exist sufficient provisions for existential recognition that are distinguished from procedure for registering secular entities.
- The informational requirements demanded as part of the registration process is intrusive and could be easily misused against religious groups.
- The segmentation of the registration into prefectures rather than by a national system causes further restriction that ultimately undermines the status of being registered.
- The registration procedure is overwhelmingly concerned with the monitoring of the finances of religious organisations which equates to government involvement in the internal affairs of a religion.

Positive elements

- Despite ongoing relatively minor issues with the recognition system, the government broadly upholds freedom of religion or belief and protects the right of a person to change religion.

Recommendations

- Establish procedures for existential recognition and for legal registration, particularly so that the latter process is made distinct from similar processes for secular entities.

- To become dynamic, establish an independent recognition agency to deal with religious recognition.
- Revoke the longevity quota, excessive informational requirements and the registration procedure of prefecturalisation.

Restriction tools implemented

- Government involvement in the internal affairs of religious organisations is frequent.
- Intrusive informational requirements are imposed.
- Segmentation of the registration procedures by prefecture is restrictive.
- Stipulatory registration.
- Subjective language used in the legislation could easily be misused to restrict religious organisations.
- Unstructure exists within the system.

History of RoRB classification

- Japan has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Jersey, Bailiwick of — Apathetic

RoRB and national identity

- UK law on religious recognition is applied in the Bailiwick of Jersey as a British Crown Dependency.
- Anglicanism is the state denomination of the territory.

Recognition law

- Structures and procedures for existential recognition
 - The Church of England is the only religion to be granted existential recognition in the territory.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in Jersey as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Jersey as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Jersey is permitted without restriction, both for personal and propagational use.
- Penal code

- There is nothing of particular concern to RoRB standards in the present version of Jersey's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is a financial ombudsman on Jersey but it is likely that any cases of human rights violation in this territory would be investigated by the Parliamentary and Health Service Ombudsman which holds ombudsmanship jurisdiction for England, the three Crown Dependencies and possibly some overseas territories.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Jersey for this First Edition of *Recognition of Religion or Belief*.

Overview

- Unsure of the existence of a recognition system – perhaps connected to the United Kingdom.

Restriction tools implemented

- Percolative recognition.

History of RoRB classification

- Jersey has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Jordan, Hashemite Kingdom of — Censorious

RoRB and national identity

- The Constitution of Jordan makes an explicit claim to freedom of religion or belief although subject to “customs observed in the Kingdom”; however, this claim is consistently infringed upon in practice by the government.
- The Constitution of Jordan establishes Islam as the state religion though makes no specification as to a state denomination.

Recognition law

- Structures and procedures for existential recognition
 - **Recognised denominations:** an annex to the 2014 Law for Councils of Christian Denominations lists 11 officially recognised Christian religious groups: Greek Orthodox, Roman Catholic, Armenian Orthodox, Melkite Catholic, Anglican, Maronite Catholic, Lutheran, Syrian Orthodox, Seventh-day Adventist, United Pentecostal, and Coptic. In 2018, five additional evangelical Christian denominations, formerly registered under the Ministry of Justice (MOJ), were recognised by the MOI as associations, but none have been permitted to establish an ecclesiastical court: the Free Evangelical Church, Church of the Nazarene, Assemblies of God, Christian and Missionary Alliance, and Baptist Church.
 - **Recognised associations:** the government granted legal status as an association to The Church of Jesus Christ of Latter-day Saints in 2018.
 - *The government continued to deny official recognition to other religious groups, including the Jehovah’s Witnesses. Some unrecognized religious groups reported they continued to operate schools and hospitals and were able to hold services and meetings if they maintained a low profile. Some unregistered Christian denominations said that although all religious groups were equal in the eyes of the constitution, the government practiced favouritism toward specific Christian groups that had*

more political power, which increased tensions among these religious groups.

- Evaluations
 - Providing existential recognition to many different denominations in the country is welcomed although official procedures for other groups to receive existential recognition need to be established.
 - There exists a vertical recognition of Islam at the top, recognised denominations in the middle, then recognised associations, and then the unrecognised religions/denominations.

Registration law

- Structures and procedures of legal registration
 - **Discriminatory-mandatory registration:** Islamic religious groups are granted recognition through the constitution and do not need to register with the government, however, the mandates that all non-Islamic religious groups register with it in order to operate legally. Registration and recognition are amalgamated in Jordan meaning that official recognition is the outcome of legal registration although this “official recognition” does not equate to the same degree of recognition bestowed to Islam and Islamic groups. The legislation for registering non-Islamic groups focuses on Christian groups but does not give details for non-Christian groups to register. There is also an online registration procedure although it remains unclear whether this equates to the other existent procedure for registered status¹⁴.
 - **Legal designation:** religious groups are classified in law either as an association or as a denomination; possibly also religious body.
 - **Procedure for denominations:** an application must be submitted to the Prime Minister who the consults both the

¹⁴ shorturl.at/uwELS

Ministry of the Interior (MOI) and the Council of Church Leaders (CCL).

- **Endorsement:** although the practice is not explicitly mandated by law, church leaders have stated that the CCL must endorse recognition for new Christian groups prior to the Prime Minister's approval. To achieve official recognition as denominations, Christian groups must be recommended by the MOI and approved by the cabinet.
- **Qualifications:** *the group's teachings must not contradict the nature of the constitution, public ethics, customs, or traditions; the Middle East Council of Churches, a regional body comprising four families of churches (Catholic, Orthodox, Eastern Orthodox, and Protestant/Evangelical), must recognize it; its religious doctrine must not be antagonistic to Islam as the state religion; and the group's membership must meet a minimum number of citizens, although a precise figure is not specified.*
- **Informational requirements:** the group's bylaws, a list of its members, its budget, and information about its religious doctrine.
- **Registration benefits:** eligibility to administer marriage rites and administer divorces and inheritance according to their own religious laws; denominations are eligible for all benefits granted to associations; exemption from taxes.
- **Registration fee:** \$7.
- **Procedure for associations:** because associations cannot administer on issues such as marriage, divorce and inheritance, they must work through a denomination on these matters for their members.
 - **Registration benefits:** eligible to own land, open bank accounts, and enter into contracts; exemption from taxes.
- **Tax law:** *the CCL serves as an administrative body to facilitate tax and customs exemptions, as well as the issuance of civil documents related to marriage or inheritance. In other matters, such as issuing work permits or purchasing land, the denominations interact directly with the relevant ministries. Religious groups that do not have representatives on the CCL handle administrative tasks through the ministry relevant to the task. Non-recognised Christian groups do not have*

representatives on the CCL, have no legal status as entities, and must have individual members of their groups conduct business with the government on their behalf.

- **Islamic group benefits:** only Islamic religious groups are eligible to receive government subsidies.
 - **Preapproval:** the government must approve all foreign funding sources.
 - **Unregistration:** religious groups not recognised as denominations or associations lack legal status and may not undertake basic administrative tasks such as opening bank accounts, purchasing real estate, or hiring staff. Individuals may exercise such activities on behalf of the unrecognised group, however.
- Evaluations
 - The imposition of discriminatory-mandatory registration procedures is impermissible to RoRB standards.
 - The amalgamation of legal registration with existential recognition is impermissible to RoRB standards.
 - Some of the informational requirements requested (e.g. a list of members) are impermissible to RoRB standards.
 - Instituting preapproval measures for all foreign funding sources is permissible to RoRB standards as long as unfavoured religious groups are not discriminated against in the process of the application of these measures.
 - Instituting an endorsement process as part of registration procedures is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Identity documentation:** national identification cards issued since May 2016 do not list religion, but religious affiliation is contained in records embedded in the card's electronic chip and remains on file in other government records. National identification cards are renewed every 10 years. Passports issued since May 2016 do not list religion. Passports are renewed every five years. Atheists and agnostics must list the

religious affiliation of their fathers as their own. Per the ban on conversion from Islam under sharia, converts from Islam to Christianity are not allowed to change their religion on electronic records. Converts from Christianity to Islam must change their religion on their civil documents, such as family books (a national registration record issued to every head of family), and on electronic records.

- **Misrecognition:** *the government continued to record Druze as Muslims on civil documents identifying the bearer's religious affiliation, without public objection from the Druze. Druze continued to report discrimination, and the way constituencies were geographically distributed hindered their coreligionists from reaching high positions in government civil service and official departments. The government did not include members of the Druze community in the Political Modernisation Committee, established by the King in June to reform the political system, despite the committee's assurances that it would consider the country's demographics and to include representation from all facets of society.*
- **Religious conversion:** *the constitution and the law, however, allow sharia courts to determine civil status affairs for Muslims; these courts do not recognize converts from Islam to other religions. Under sharia, converts from Islam are still considered Muslims and are subject to sharia but are regarded as apostates. Neither the penal code nor the criminal code specifies a penalty for apostasy. The Sharia Public Prosecution consults with the Council of Church Leaders (CCL), a government advisory body comprising the heads of the country's 11 officially recognised Christian denominations, before converting a Christian to Islam to make sure the conversion is based on religious conviction and not for purposes of marriage and/or divorce. Any member of society may file an apostasy complaint against such individuals before the Sharia Public Prosecution.*
- Communal activity
- **Criticism of religion:** the law prohibits the publication of media items that slander or insult “founders of religion or

prophets” or that are deemed contemptuous of “any of the religions whose freedom is protected by the constitution,” and it imposes a fine on violators of up to 20,000 dinars (\$28,200).

- **Electoral law:** Christians are allocated nine of 130 parliamentary seats. Christians may not run for additional seats. No seats are reserved for adherents of other minority religious groups. The law stipulates that Muslims must hold all parliamentary seats not specifically reserved for Christians. There are no reserved seats for the Druze population. The government classifies Druze as Muslims and permits them to hold office as Muslims.
- **Hieronymy:** the importation of non-Islamic religious materials or devotional items into Jordan is restricted, especially for propagational use. It is likely that the Media Commission will request preapproval of the contents of religious publications either before they are imported and certainly before they are distributed.
- **Personal status law:** Sharia courts, however, have jurisdiction over marriage, divorce, and inheritance, and individuals declared to be apostates may have their marriages annulled or be disinherited, except in the case of a will that states otherwise. Sharia courts do not recognize converts from Islam as falling under the jurisdiction of their new religious community’s laws in matters of personal status.
- **Proselytism:** encouraging Muslims to convert to the Christian religion is illegal.
- **Religious publications:** the government’s Media Commission regulates the publishing and distribution of all books and media. If the Media Commission deems that passages “violate public norms and values, are religiously offensive, or are insulting” to the King, it can request a court order to prohibit the distribution of the book.

- **Threats of arrest:** *members of non-Muslim religious groups, especially unregistered groups, continued to report occasional threats by the government to arrest them for disrupting public order if they proselytised Muslims. Security officials continued to refuse to renew residency permits for some foreign religious leaders and religious volunteers after raising concerns their activities could incite extremist attacks, according to multiple nongovernmental organizations(NGOs). Others were denied residency permits on the basis of proselytization accusations.*
- Penal code
 - **Criticism of religion:** the penal code contains articles criminalising acts such as incitement of hatred, blasphemy against Abrahamic faiths, undermining the regime, or portraying citizens in a manner that violates their dignity. The penal code criminalises insulting the Prophet Muhammad, punishable by one to three years imprisonment.
 - **Proselytism:** authorities may prosecute individuals who proselytize Muslims under the penal code’s provisions against “inciting sectarian conflict” or “harming the national unity.” Both of these offenses are punishable by imprisonment of up to three years or a fine of up to 200 dinars (\$280).
 - **Religious literature:** the law also provides a term of imprisonment not exceeding three months or a fine not exceeding 20 Jordanian dinars (\$28) for anyone who publishes anything that offends religious feelings or beliefs.
- Facilitation of religion or belief
 - **Ombudsmanship:** *the National Center for Human Rights, a quasi-independent institution established by law, receives both government and international funding. The Prime Minister nominates its board of trustees, and the King ratifies their appointment by royal decree. The board appointed in 2019 includes Islamists, former ministers, former judges, members of parliament, religious leaders, and civil society representatives.*

Social dimensions of RoRB

- **Atheists and agnostics:** required to list a religious affiliation on government documents.
- **Christians:** many Christian groups are recognised as religious denominations or associations and can worship freely, though they cannot proselytize among Muslims. While converts from Islam are not prosecuted for apostasy, they face bureaucratic obstacles and harassment in practice.
- **Muslims:** the government monitors sermons at mosques for political, sectarian, or extremist content and issues prescribed texts and themes. Muslim clerics require government authorization to preach or dispense religious guidance.
- **Unrecognised groups:** unrecognised religious groups are allowed to practice their faiths but suffer from a number of disadvantages stemming from their lack of legal status.

Overview

- Islam is the state religion.
- There exists a situation of partial recognition whereby even though recognition may be sought by non-Islamic groups, this recognition does not equate to the recognition bestowed to Islam.
- There are two categories of recognition: denominations and associations; these two categories demonstrate an instance of vertical recognition due to the hierarchical structure.
- Discrimination exists in the recognition system against non-Islamic groups.
- Informational requirements are excessive due to the fact that they will likely be used against applicant religious groups.
- Minorities are restricted in public and political life and face harassment.
- The rule of mandatory registration contravenes the Bielefeldt provision.

Positive elements

- Nil.

Recommendations

- Dismantle the present restrictive system by removing all instances of partial and vertical recognition.
- Establish procedures for equal existential recognition and legal registration for all groups.
- Revoke the rule of mandatory registration for non-Islamic groups.
- Utilise recognition as a means to promote diversity of belief as a positive component of society and to reaffirm the valid rights of minorities.

Restriction tools implemented

- Blasphemy laws are in effect.
- Informational requirements are excessive.
- Laws on conversion remain ambiguous although the likelihood is that conversion to a religion other than Islam is not acceptable.
- Mandatory registration for non-Islamic groups.
- Membership quotas are in effect but are not stipulated.
- Normativism is in effect.
- Partial recognition is in effect.
- Politicisation of recognition procedures is widespread (such as the Prime Minister's approval of applicants).
- Retributions for proselytism ranging from fines to imprisonment.
- Vertical recognition is in effect.

History of RoRB classification

- Jordan has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Kazakhstan, Republic of — Censorious

RoRB and national identity

- The Constitution of Kazakhstan makes an explicit claim to freedom of religion or belief although this right is regularly infringed in practice by the government.
- The Republic of Kazakhstan is a secular state.
- Under the Constitution, all persons have the right to follow their religious or other convictions, take part in religious activities, and disseminate their beliefs.

Recognition law

- Structures and procedures for existential recognition
 - In practice, religious freedom is limited to registered or “traditional” religious groups. “Traditional” is not defined by law, but it typically refers to Hanafi Sunni Islam, the Russian Orthodox Church, Catholicism, Lutheranism, Judaism, and other major or historic religions.
- Evaluations
 - The weaponisation of terms such as “traditional” to exclude new, alternative or simply any group unfavoured by the government is impermissible to RoRB standards.
 - The narrowing of the provision of existential recognition to only a handful of denominations without providing procedures for the recognition of any other groups is impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all religious groups register with it before they conduct any

activities in the country, even activities classified as “basic” in RoRB standards.

- **Procedure:** the registration procedure is comprised of three separate categories which religious groups: “national”, “regional” and “local”.
- **Local registration:** a religious group is required to submit an application to the Ministry of Justice.
 - **Informational requirements:** list of the names and addresses of a quota of members.
 - **Membership quota:** at least 50 founding members.
 - **Confinement:** a registered religious group government may only operate within the geographic limits of the locality in which they are registered.
- **Regional registration:**
 - **Geographic quota:** at least two local religious groups, each located within a different province.
 - **Membership quota:** at least 250 members in total.
 - **Registration benefits:** the right to open educational institutions for training clergy.
- **National registration:**
 - **Membership quotas:** at least 5,000 total members and at least 300 members in each of the country’s 14 regions and the cities of Nur-Sultan, Almaty, and Shymkent.
 - **Registration benefits:** the right to open educational institutions for training clergy.
- **Role of the MISD:** *the Ministry of Information and Social Development (MISD) and its component, the CRA, regulate the practice of religion in the country. By law, the MISD is responsible for the formulation and implementation of state policy on religion as well as facilitating government and civil society engagement. It also considers potential violations of the laws on religious activity and extremism. The MISD drafts legislation and regulations, conducts analysis of religious materials, and makes decisions on censorship. All religious groups are required to submit all religious materials for approval before dissemination. The MISD cooperates with law enforcement bodies to ban religious groups and sanction individuals who violate the religion law, coordinates actions of local government to*

regulate religious practices, and provides the official interpretation of the religion law.

- **Registration fees:** fees for registration are presently undisclosed by the government.
 - **Denial of registration:** the law allows the government to deny registration to a religious group based on an insufficient number of adherents or on inconsistencies between the religious group's charter and any national law, as determined by an analysis conducted by the CRA.
- Evaluations
 - The imposition of a mandatory registration order on all religious groups in Kazakhstan is impermissible to RoRB standards.
 - The imposition of both geographic quotas and membership quotas onto registrant religious groups is impermissible to RoRB standards.
 - The broad grounds on which the denial of registration may take place is impermissible to RoRB standards because these grounds could be and are easily misused to exclude groups the government does not favour.
 - Splitting registration procedures into local, regional and national forms as a means of confinement is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Kazakhstan as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Child and youth religious activity:** *the law requires organisations to “take steps to prevent involvement or participation of anyone under the age of 18 in the activities of a religious association” if one of the parents or other legal*

guardians objects. The law bans religious activities, including proselytising, in children's vacation, sport, creative, or other leisure organisations, camps, or sanatoria. The extent to which organisations must prevent underage persons' involvement in religious activity is not specifically outlined and has not been further defined by authorities.

- **Foreign religious activity:** *the constitution requires foreign religious groups to conduct their activities, including appointing the heads of local congregations, "in coordination with appropriate state institutions," notably the CRA and the Ministry of Foreign Affairs. Foreigners may not register religious groups.*
- **Government interference in religion:** *the law states the government shall not interfere with the choice of religious beliefs or affiliation of citizens or residents unless those beliefs are directed against the country's constitutional framework, sovereignty, or territorial integrity.*
- **Hieronymy:** *the importation of religious materials or devotional items into Kazakhstan is restricted for propagational use. The law allows one copy of published religious materials to be imported for personal use without review by a CRA religious expert. Religious materials and devotional items by unregistered religious groups will be prohibited from importation.*
- **Missionary activity:** *to perform missionary or other religious activity in the country, a foreigner must obtain a missionary or religious visa. These visas allow a person to stay for a maximum of six months, with the possibility to apply to extend the stay for another six months. To obtain missionary visas, applicants must be invited by a religious group formally registered in the country. The CRA must approve the letter of invitation. Applicants must obtain consent from the CRA each time they apply. The CRA may reject missionary visa applications based on a negative assessment from CRA religious experts, or if it deems the missionaries represent a danger to the country's constitutional framework, citizens' rights and freedoms, or any*

person's health or morals. Local and foreign missionaries are required to register annually with the local executive body of a region or of the cities of Nur-Sultan, Almaty, and Shymkent and provide information on their religious affiliation, intended territory of missionary work, and time period for conducting that work. Missionaries must submit all literature and other materials intended to support their missionary work together with their registration application. Use of materials not vetted during the registration process is illegal. A missionary must produce registration documents and a power of attorney from the sponsoring religious organisation to work on its behalf. The local executive body of a region or the cities of Nur-Sultan, Almaty, and Shymkent may refuse to register missionaries whose work is deemed to "constitute a threat to the constitutional order, social order, the rights and freedoms of individuals, or the health and morals of the population."

- **Places of worship:** the counterterrorism law requires religious organisations to secure their buildings of worship against potential terrorist attacks; the government may take action against religious organisations for failure to do so.
- **Proselytism:** *the law prohibits coercion to force a person's conversion to any religion or to force a person's participation in a religious group's activities or in religious rites. The law further bans activities of religious organisations that involve violence against citizens or otherwise harm the health or morality of citizens and residents, force them to end marriages or family relations, violate human rights and freedoms, or force citizens to evade performance of duties specified in the constitution and legislation. The law prohibits methods of proselytising that take advantage of a potential convert's dependence on charity. The law also prohibits blackmail, violence or the threat of violence, or the use of material threats to coerce participation in religious activities.*
- **Religious events and gatherings:** the law authorises local authorities to "coordinate" the location of premises for religious events outside religious buildings. By law, religious activities may be held in residences, provided that organisers

take into account the “rights and interests of neighbors.” Authorities sometimes interpret this as a requirement to receive permission from the neighbors.

- **Religious literature:** the law states production, publication, and dissemination of religious literature and information materials of religious content are allowed only after receiving a positive expert opinion from the CRA. Prohibition of the distribution of religious literature outside registered places of worship.
- **International travel:** the government prohibits individuals who do not pay their fines for conducting unregistered or unauthorised religious activity from traveling outside the country.
- Penal code
 - **2019 recall:** in 2018, Parliament considered amendments that would have further restricted beyond that of the 2011 Law on Religious Activities and Religious Associations, the areas of religious education, proselytising, and the publication of materials, but these amendments were recalled in January 2019.
 - **Contradiction of the group’s charter:** *systematically pursuing activities that contradict the charter and bylaws of the group; more broadly, this penalty applies to any instance in which a group defies the constitution or laws regarding religious activity. If an organisation, its leaders, or members engage in activities not specified in its charter, it is subject to a warning, a fine of 252,500 tenge (\$600), or both. Under the administrative code, if the same violation is repeated within a year, the legal entity is subject to a fine of 378,750 tenge (\$900) and a three- to six-month suspension of activities.*
 - **Extremism:** *the extremism law, which applies to religious groups and other organisations, gives the government discretion to identify and designate a group as an “extremist organisation,” ban a designated group’s activities, and*

criminalise membership in a banned organisation. The law defines “extremism” as an organisation or commission of acts in pursuit of violent change of the constitutional system; violation of the sovereignty or territorial integrity of the country; undermining of national security; violent seizure or retention of power; armed rebellion; incitement of ethnic, religious, or other forms of social discord accompanied by calls to violence; or the use of any religious practice that causes a security or health risk. An extremist organisation is a “legal entity, association of individuals and (or) legal entities engaged in extremism, and recognised by the court as extremist.” The law provides streamlined court procedures for identifying a group as “terrorist or extremist,” reducing the time necessary for a court to render judgement and act on a decision to 72 hours. After a legal finding of a violation, the law authorises officials to immediately revoke the organisation’s registration, thus ending its legal existence, and to seize its property. Prosecutors have the right to annually inspect all groups registered with state bodies for compliance with all applicable laws.

- **Failure to rectify activities:** according to the administrative code, if a religious group engages in a prohibited activity or does not rectify violations resulting in a suspension, an official or the organisation’s leader is subject to a fine of 505,000 tenge (\$1,200), the entity is also subject to a fine of 1,262,500 tenge (\$3,000), and its activities are banned.
- **Gatherings at unauthorised places of worship:** the administrative code mandates a 505,000 tenge (\$1,200) fine and a three-month suspension from conducting any religious activities for registered groups holding religious gatherings in buildings that are not approved for that purpose; this also includes holding gatherings or conducting charity events in violation of the law.
- **Hate speech:** the criminal code prohibits creating, leading, or actively participating in a religious or public association whose activities involve committing acts of “violence against citizens or the causing of other harm to their health or the incitement of citizens to refuse to carry out their civil obligations.” The code

punishes such acts with a fine of up to 15.2 million tenge (\$36,100) or up to six years' imprisonment.

- **Hierarcy:** importing, producing, or disseminating religious materials not approved by the CRA will also result in a 505,000 tenge (\$1,200) fine for the leader and a three-month suspension from conducting any religious activities; further fines of 1,262,500 tenge (\$2,900) may be levied against the organisation itself.
- **Places of worship:** constructing religious facilities without a permit will also result in a 505,000 tenge (\$1,200) fine and a three-month suspension from conducting any religious activities.
- **Political activity:** *the creation or leadership of parties on a religious basis is prohibited. The code punishes such acts with a fine of up to 15.2 million tenge (\$36,100) or up to six years' imprisonment.*
- **Private citizens:** private individuals found to have engaged in unregistered or unauthorised religious activities are subject to a fine of 126,250 tenge (\$300). Police may impose these fines without first going to court. The fines may be appealed to a court.
- **Proselytism of unregistered religions:** *the administrative code prohibits "spreading the creed of religious groups (that are) unregistered" in the country, an offence punishable by a fine of 252,500 tenge (\$580); a foreigner or stateless person found guilty may also be deported.*
- **Terrorism:** under the law on countering terrorism, the Ministry of Finance may freeze the financial accounts of persons convicted of terrorism or extremism crimes.
- **Unregistration:** *the criminal and administrative codes include penalties for unauthorised religious activity, which includes the arrangement of and participation in activities of unregistered religious groups, participation in religious activities outside*

permitted areas, unlicensed distribution of religious materials or training of clergy, sale of religious literature without government approval or in places not approved by the government, and discussion of religion for the purpose of proselytisation without the required missionary registration. According to the administrative code, individuals participating in leading or financing an unregistered, suspended, or banned religious group may be fined between 126,250 tenge (\$300) and 505,000 tenge (\$1,200).

- Facilitation of religion or belief
 - **Ombudsmanship:** the Commissioner for Human Rights performs the role and functions of an ombudsperson in Kazakhstan, an office that was created in 2002 with support from the OSCE. Askar Shakirov was appointed to the role in 2007 and in 2021, greater clarity was given through a draft law on the principles and legal status of the ombudsperson.

Social dimensions of RoRB

- **Atheists:** *in September 2021, CRA Chairman Nukezhanov announced to media that the government would propose legislative amendments to protect the right of non-belief for atheists. The government took no further action before year's end.*
- **COVID-19 impact:** restrictions on gathering for worship were placed on religious groups under the COVID-19 state of emergency legislation and were used as a pretext to charge a Baptist congregation in Pavlodar not just for breaking coronavirus health measures, but also for being an unregistered religious community.
- **Minorities:** local officials continue to harass groups defined as “nontraditional,” including Protestant Christians, Jehovah’s Witnesses, and Muslims who do not adhere to the government-approved version of Islam.
- **Prosecutions:** according to Forum 18, a nongovernmental organisation (NGO) that tracks religious freedom in Eurasia,

authorities launched 168 prosecutions against individuals and groups for unsanctioned religious activity in 2019.

- **Scientologists:** *The Church of Scientology reported that during the year, authorities continued to harass and intimidate its members, including through frivolous lawsuits and extrajudicial searches, destructive raids of their premises, and seizure of literature.*
- **Seizing of property:** *some religious minority groups faced attempts by local governments to seize their property. On January 21, the Supreme Court overturned a 2020 lower court decision to seize buildings of the New Life Church in Almaty and stopped the seizure of two buildings used by the Church to support the needy. Church representatives welcomed the ruling after previously expressing fears that some who lived in the buildings would have no place to go if the local government confiscated the buildings. Authorities were still seeking to sell a former residence of one of three New Life pastors convicted in 2019 for using hypnotism and psychological manipulation to defraud parishioners in order to pay the 26 million tenge (\$59,500) in damages awarded in the earlier court decision.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; the vague degree of recognition bestowed to “traditional” religions is essentially unobtainable for any other group; the procedures put in place for registration with the government primarily resemble legal registration in recognitionist theory; although in reality this registered status provides little freedom, the retributions for unregistration include fines and the disbanding of groups.
- A vertical recognition system is in effect which designates groups according to a hierarchical national, regional and local levels which groups are not permitted to extend their activities outside of if not approved by government.
- Religious activity is limited to what the government sees as “traditional religions” yet these religions themselves haven’t true freedom in their activities.

- Practically all aspects of religious activity must be registered with the government or else the government interprets this as unregistration.
- The government's practice of vetting religious literature prior to distribution is demonstrative of the country's censoriality.
- The rule of mandatory registration violates the Bielefeldt provision.

Positive elements

- Nil.

Recommendations

- Dismantle the entire system that misuses recognition as a means to restrict religious activity.
- This dismantlement must take place before any further efforts can be made.
- Revoke membership quota, broad grounds for the denial of registration, state definition of religion, term weaponisation, geographic quota, the policy of confinement among others.

Restriction tools implemented

- Confinement restriction tool is in effect.
- Extremism laws are broadly applied, often baselessly.
- False claim to freedom of religion or belief.
- Government involvement in the religious lives of citizens is widespread as is government involvement in the internal affairs of religious organisations.
- Importation of religious literature and other religious items is restricted and censored by the government.
- Mandatory registration for all religious groups and individual instances of activity.
- Membership quotas are in effect.
- Normativism is in effect.
- Politicisation of religion and the recognition procedures is widespread.

- Proselytism is almost entirely restricted, as is the importation of unvetted religious literature.
- Retributions for acting outside one's stated charter include incremental fines and suspension of activities.
- Subjective language in the legislation is also used to restrict conversions.
- The use of subjective language in the legislation gives the government ample opportunity to restrict religious activity that it deems as contravening the law.
- Unregistration is subject to retributions.
- Vertical recognition is in effect.
- Weaponisation of the words "extremism" and "cult" are widespread in the legislation.

History of RoRB classification

- Kazakhstan has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Kenya, Republic of — Restrictive

RoRB and national identity

- The Constitution of Kenya makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice but with some infractions.
- The Republic of Kenya is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Kenya.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Kenya demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Discriminatory-mandatory registration:** all religious groups, their individual places of worship and affiliated faith-based organisations, except those belonging to indigenous or traditional religious groups, must register with the government in order to conduct “basic religious activities”. The law also requires that organisations dedicated to advocacy, public benefit, the promotion of charity, or research register with the NGO Coordination Board.
 - **Procedure:** all types of religious entities must submit an application to the Registrar of Societies which in turn reports to the Attorney General’s Office.

- **Qualifications:** valid national identification documents, pay a fee, and undergo security screening.
- **Registration fee:** undisclosed at present time.
- **Registration benefits:** registered religious institutions and places of worship may apply for tax-exempt status, including exemption from duty on imported goods.
- **Registration rate:** many indigenous and traditional religious groups do not register as they are not required to by law. *The Registrar of Societies, which has not registered any religious organizations since 2014, continued not to register any new religious organizations pending completion of revised Religious Societies Rules. Religious leaders criticized the government's inaction, which had led to a backlog of thousands of unapproved religious group applications. Some religious leaders called on the government to resume registrations, stating the suspension interfered with freedom of worship, including by making it more difficult to purchase property and conduct operations.*

- Evaluations

- The imposition of a discriminatory-mandatory registration policy is impermissible to RoRB standards.
- The relatively low registration rate is a signal of the onerousness of the present registration procedures.

Law and policy on religion and belief

- Self-identification

- **National identity cards:** *some predominately Muslim ethnic groups, including Kenyan Somalis and Nubians, reported difficulties obtaining government identification cards. These communities stated government officials at times requested supporting documents not required by law and implemented vetting processes in a biased manner. In June, the NGO Muslims for Human Rights (MUHURI) said it helped nearly 200 young individuals obtain national identification cards, which are required to obtain government services or register to vote. These individuals, the majority of whom were Muslim, lived in Lamu*

County near the border with Somalia. The government reportedly halted issuance of identification cards in this region due to concern that al-Shabaab terrorists from Somalia could pose as Kenyan nationals to fraudulently obtain government-issued identification cards. MUHURI and other human rights organizations stated the government was unfairly profiling Muslims.

- Communal activity
 - **Broadcasting:** the Ministry of Information, Communications, and Technology must approve regional radio and television broadcast licenses, including for religious organisations.
 - **Hieronymy:** the importation of religious materials or devotional items into Kenya is permitted without restriction, both for personal and propagational use. It is unclear whether unregistered religious groups are able to import their literature or items related to their beliefs.
 - According to the FedEx Cross Border global lists, “communistic materials” are prohibited from importation in Kenya.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Kenya’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Commission of Administrative Justice performs the role of the ombudsperson for Kenya.

Social dimensions of RoRB

- **Christians:** Shabaab militants have at times specifically targeted Christians in Kenya.

- **Muslims:** Counterterrorism operations against the Somalia-based Shabaab militant group have left Muslims exposed to state violence and intimidation.

Overview

- Discrimination within the recognition system is made between indigenous, traditional and new religious groups, typically against the latter.
- Recognition and registration look to be amalgamated rather than ideally differentiated; there is a focus primarily on legal registration but a great deal of ambiguity and unstructure exists as to what registration with the government truly means for the registered group.
- Ongoing threats from terrorist groups from neighbouring Somalia, primarily al-Shabaab, force the social situation in Kenya to remain tense, particularly as communities still reel from the 2013, 2017 and 2019 major attacks from the group; these ongoing issues in the social fabric can be fixed through sustained interfaith dialogue, mutual recognition of the diversity of belief both from religious leaders and the state itself, and the continual improvement of religious education in the country.
- The Registrar of Societies' obligation to report to the government demonstrates broad politicisation of the registration process.
- The rule of mandatory registration contravenes the Bielefeldt provision.

Positive elements

- Nil.

Recommendations

- Ensure that the recognition system is equalised; that no discrimination exists between new, indigenous and traditional religions.
- Establish provisions for existential recognition and legal registration.

- Establish a recognition agency independent of government.
- Revoke the mandatory registration order.

Restriction tools implemented

- Ambiguity is widespread.
- Mandatory registration for all religious groups.
- Unstructure exists within the system.

History of RoRB classification

- Kenya has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Kiribati, Republic of — Restrictive

RoRB and national identity

- The Constitution of Kiribati makes an explicit claim to freedom of religion or belief, a claim the government broadly upholds in practice.
- The Republic of Kiribati is a secular state although mentions "the people of Kiribati, acknowledging God as the Almighty Father in whom we put trust".

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Kiribati.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Kiribati demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Conditional registration:** although the government does not mandate that all religious groups register to operate and to conduct basic religious activities, it does mandate that any group that exceeds the prescribed membership threshold must register with it. It remains unclear whether groups below this threshold are able to register (if not, this would be a violation of RoRB standards).
 - **Procedure:** the religious group must submit an application to the Ministry of Women, Youth, and Social Affairs.

- **Membership quota:** no less than 2% of the total population according to the most recent census.
- **Signature quota:** the registration application must be signed by the head of the group and by five other group members.
- **Informational requirements:** proof of the number of adherents and the religious denomination and name under which the group wishes to be registered.
- **Unregistration:** there are no legal consequences for not registering, even if a group exceeds the membership threshold.
- **Delayed registration:** *the government allowed the KPC to operate, but the Church was not able to register during the year due to a court case and opposition to its registration from the Kiribati Uniting Church, according to KPC leadership. The Church's registration application was submitted when it separated from the Kiribati Uniting Church in 2016, and Church officials said they were optimistic the government would grant registration due to the government's grant support for its activities.*

- Evaluations

- The imposition of a conditional registration order onto registrant religious groups is impermissible to RoRB standards.
- The imposition of a membership quota and a signature quota onto religious groups in Kiribati is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Kiribati as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity

- **Foreign missionary activity:** *missionaries were active in the country and operated freely. Missionary visits to islands with a “one church” tradition were allowed as long as they followed the traditional practice of requesting permission from local leaders. Sources stated that minority religious groups did not seek to send any missionaries to these islands during the year.*
- **Hieronymy:** the importation of religious materials or devotional items into Kiribati is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Kiribati’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Kiribati to investigate cases of human rights violation in the country.
 - **State funding:** the government continued to administer a small grants program for development projects administered by nongovernmental organizations and religious organizations, of which the KPC was a recipient.

Social dimensions of RoRB

- **Minorities:** *on two islands in the southern part of the archipelago that have overwhelmingly Protestant populations, members of small religious minorities are discouraged from engaging in public worship or proselytising, though only a few dozen people are believed to be affected.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration.

- The rule of mandatory registration for certain religious groups contravenes the Bielefeldt provision.
- Widespread unstructure and ambiguity within the system exists due to a lack of provisions for existential recognition.

Positive elements

- The government generally respects freedom of religion or belief.

Recommendations

- Establish distinct provisions for existential recognition and legal registration within a recognition system that caters to all groups and at different levels of activity as is described in the dynamic level of the Spectrum of Religious Recognition.
- Revoke the rule of mandatory registration for religious organisations and groups representing more than 2% of the population.
- The apathetic approach of the government means that some aspects of religious life are left vague in the legislation which may be the cause for some islands dominated by one group to violate religious freedoms.

Restriction tools implemented

- Ambiguity exists within the system.
- Mandatory registration for all religious groups representing no less than 2% of the total population despite there existing no consequences for not registering.
- Unstructure exists within the system.

History of RoRB classification

- Kiribati was classified Apathetic in the SRR in the first edition of the RoRB Index in 2021.
- However, the 2022 RoRB Index has reclassified Kiribati as Restrictive.

Korea, Democratic People's Republic of — Terminal

RoRB and national identity

- The Constitution of the Democratic People's Republic of Korea makes a partial claim to freedom of religion or belief although this right is neither upheld nor respected at all in practice by the government.
- The Democratic People's Republic of Korea is a secular state.
- The Democratic People's Republic of Korea, as a Communist state, is a hypersecular state and subscribes to and espouses state atheism simultaneous to its promotion of Juche as the state's official ideology.
- According to a 2014 official government document, "Freedom of religion is allowed and provided by the State law within the limit necessary for securing social order, health, social security, morality and other human rights."

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than state atheism and Juche ideology in North Korea.
- Evaluations
 - The lack of existential recognition in North Korea for any denomination other than atheism and Juche ideology is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration

- **Non-registration:** there are no procedures for the legal registration of religious groups in North Korea; the only legally operable religious groups are those established by the state itself as state-sanctioned religious associations or token churches.
- Evaluations
 - The provision of no procedures for the legal registration of BBOs is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in North Korea as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items of any kind into North Korea is prohibited, both for personal and propagational use.
 - *The NKDB stated officials conducted thorough searches of incoming packages and belongings at ports, customs checkpoints, and airports to search for religious items, as well as other items the government deemed objectionable. ODUSA reported some individuals brought audio devices containing the Bible and other religious materials from China or smuggled in radios for local residents to listen to Christian broadcasts from overseas.*
 - **Places of worship:** the approval of the construction of religious buildings and the holding of religious ceremonies. It further states, “Religion must not be used as a pretext for drawing in foreign forces or for harming the state and social order.”
 - According to the NKDB, the ROK government estimated that as of 2018, there were 121 religious facilities in the

DPRK, including 60 Buddhist temples, 52 Chondoist temples, three Protestant churches, and one Russian Orthodox church, all mostly under state control.

- **Proselytism:** foreigners caught proselytising risk arrest and detention.
- **Religious publications:** *the country's criminal code punishes a "person who, without authorisation, imports, makes, distributes, or illegally keeps drawings, photographs, books, video recordings, or electronic media that reflect decadent, carnal, or foul contents."*
 - **Religious literature:** from GOV.UK Travel Advice – Avoid bringing books or other written material in the Korean language, including anything with religious content.
- **State-sanctioned church:** *state-sanctioned churches maintain a token presence in Pyongyang, and some North Koreans are known to practice their faith furtively.*
- **Superstitious activity:** *the criminal code also bans engagement in "superstitious activities in exchange for money or goods." According to local sources, this prohibition includes fortune telling.*
- Penal code
 - **Religious materials:** *the NGO Committee for Human Rights in North Korea (HRNK) reported that under these two provisions, ownership of religious materials brought in from abroad is illegal and punishable by imprisonment and other forms of severe punishment, including execution.*
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in North Korea to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **ForB conditions:** *intense state indoctrination and repression preclude free and open exercise of religion. Crackdowns are common, and North Koreans caught practicing a religious faith are arrested and subjected to harsh punishments, including imprisonment in labor camps.*

Overview

- The North Korean government has constructed and orchestrates a sophisticated and brutal system for its nationwide, universal control of religion and belief among its citizens.
- There are no genuine means for religious groups to gain either existential recognition or legal registration in the country.
- The state-sanctioned churches constructed in the capital are merely for show as an attempt to suggest that religious freedom is respected in the country.
- North Korea represents a country whereby recognition is abused and misused to its furthest, most severe extent.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the country's repressive system for inhibiting all forms of religious activity would need to be conducted before any further recommendations could be made to improve the situation further; although North Korea is provided with the classification of terminal in the Spectrum of Religious Recognition, the country should ideally be given its own even lower classification as no other country can compare to how North Korea violates freedom of religion or belief.

Restriction tools implemented

- Importation of religious materials is illegal.

- False claim to freedom of religion or belief.
- Proselytism is completely banned.
- Retributions for the majority of religious activities are ruthless and often swiftly adjudicated in show trials without due process or means of appeal; the preferred form of retribution by the state is imprisonment in labour camps or execution.
- The subjective language of the legislation is perhaps more unjustly applied in North Korea than any other nation.

History of RoRB classification

- North Korea has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Korea, Republic of — Receptive

RoRB and national identity

- The Constitution of South Korea makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice although with some infractions.
- The Republic of Korea is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in South Korea.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in South Korea demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct “basic religious activities” as defined in RoRB standards.
 - **Procedure:** *to obtain tax benefits, including exemption from acquisition or registration taxes when purchasing or selling property to be used for religious purposes, organisations must submit to their local government their registration as a religious and nonprofit corporate body, an application for local tax exemption, and a contract showing the acquisition or sale of property. All clergy are taxed on earned yearly income, but clergy are exempt from taxation on education,*

food, transportation, and childcare expenses. Individual laypersons are eligible for income tax benefits upon submitting receipts of donations made to religious organisations.

- **Legal designation:** government-recognised religious organisation.
 - **Financial quota:** a religious group that has property valued at over 300 million won (\$252,000).
 - **Informational requirements:** internal regulations defining the group's purpose and activities, meeting minutes of the group's first gathering, and a list of executives and employees.
- Evaluations
 - The imposition of a financial quota onto registrant BBOs is impermissible to RoRB standards.
 - The stated informational requirements requested as part of registration procedures are impermissible to RoRB standards as long as they are not misused against to discriminate based on religion or belief against unfavoured groups.
 - The imposition of a stipulatory registration policy is permissible to RoRB standards as long as stipulations made do not impede on what is classified as "basic religious activity".

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in South Korea as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into South Korea is permitted without restriction, both for personal and propagational use.

- **Places of worship:** the law provides government subsidies for preservation and upkeep of historic cultural properties, including religious sites.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of South Korea's penal code.
- Facilitation of religion or belief
 - **Dedicated ministry and state funding:** *the MCST's Religious Affairs Division worked with the seven members of the NGO Korean Conference of Religions for Peace – the National Council of Churches in Korea, the Jogye Order of Korean Buddhism, the Catholic Church, Won Buddhism, Confucianism, Cheondogyo, and the Association of Korean Native Religions – on interfaith cooperation and was the primary government contact for religious organizations. The MCST disbursed 12.8 billion won (\$10.77 million)– compared with 7.7 billion won (\$6.48 million) in 2020 – supporting religious and traditional cultural events during the year, including Buddhist, Christian, Cheondogyo, and Confucian activities.*
 - **Ombudsmanship:** *the National Human Rights Commission of Korea (NHRCK) investigates complaints, issues policy recommendations, trains local officials, and conducts public awareness campaigns. The NHRCK may make non-binding recommendations but does not have authority to implement policies or penalize individuals or agencies that violate human rights.*

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in South Korea for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated with a focus on the latter, particularly the bestowal of tax-exemption as the primary benefit of legal registration.
- However, there does exist a semblance of existential recognition for Protestantism, Buddhism, Catholicism, Cheondoism, Confucianism and Korean native religions through their representation in the Korea Conference of Religions for Peace; the breadth of this entity to engage with the MCST in engaging interfaith dialogue should be expanded to include all belief systems and their denominations in order to become dynamic; at present, this entity remains receptive only.
- Informational requirements of religious groups seem fairly intrusive and could be used against groups at a later date which violates the Durham principles.
- The contingency of the registration of religious organisations on financial quotas is restrictive and again violates the spirit of the Durham principles.

Positive elements

- There are appropriate tax-exemption provisions for religious organisations.
- There are appropriate subsidies provided by the state to support the upkeep of often costly historic sites such as churches, temples and shrines.
- There are provisions set in place for human rights violations to be reported and investigated by the state.

Recommendations

- Remove restrictive financial quotas and excessive informational requirements from the registration process as well as revoke the localisation of those procedures.

Restriction tools implemented

- Few provisions exist for the bestowal of existential recognition.
- Financial quotas are in effect.
- Intrusive informational requirements exist.
- Stipulatory registration.
- Unstructure and ambiguity in the recognition system and in the legislation exist yet religious freedoms remain broadly upheld.

History of RoRB classification

- South Korea was classified Restrictive in the SRR in the first edition of the RoRB Index in 2021.
- However, the 2022 RoRB Index reclassifies South Korea as Receptive.

Kosovo, Republic of — Restrictive

RoRB and national identity

- The Constitution of Kosovo makes an explicit claim to freedom of religion or belief, a right the government generally upholds in practice but with some infractions.
- The Republic of Kosovo is a secular state.
- The law on religious freedom states, “All religions and their communes in Kosovo, including the Kosovo Islamic Community, Serbian Orthodox Church, Catholic Church, Hebrew Belief Community, and Evangelical Church (the five “traditional” religious communities), shall be offered any kind of protection and opportunity in order to have rights and freedom foreseen by this law.”
- The constitution provides for rights and protection for all citizens, including maintaining, developing, and preserving their religion using their own language. The constitution also states religious communities have the right to establish religious schools and charitable institutions with the possibility of being funded with government financial assistance “in accordance with the law and international standards.” The constitution provides guarantees of freedom and pluralism of media. It guarantees all ethnic communities access to public media. Additional rights for religious groups include establishing and using their own media, maintaining unhindered peaceful contacts with persons outside the country with whom they share a religious identity, and having equitable access to public employment.
- The country is not a party to the International Covenant on Civil and Political Rights.

Recognition law

- Structures and procedures for existential recognition
 - The law stipulates there is no official state religion, but it lists the five “traditional” religious communities that receive extra protections and benefits, including reduced taxes.

- Evaluations
 - There are no established procedures for bestowing existential recognition to any other denomination other than those considered traditional; this is impermissible to RoRB standards which stipulate that distinct procedures should be made for the bestowal of existential recognition.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** there are no procedures for legal registration provided by the government yet neither does the government require that religious groups register with it in order to conduct “basic religious activities” as identified in RoRB standards. The government does not provide a mechanism nor any specific guidance on how to obtain legal entity status through registration or other means.
 - **Registration benefits:** eligibility to own property, open bank accounts, employ staff, or access the courts as a collective entity.
 - **Unregistration:** individual congregations or individuals may perform administrative tasks, own property, open bank accounts, employ staff, and have access to courts as long as they do this in their own names rather than under the name of a group.
 - **Places of worship:** local communities often recognize religious groups’ possession of buildings which is a form of indirect registration; however, the law generally does not protect these buildings as property of a religious community, but rather as the private property of citizens or non-governmental organisations. SOC property is an exception; the law on SPZs acknowledges and protects the integrity of SOC property ownership and stewardship over designated areas within the SPZs.
 - The law stipulates freedom of religious or non-religious practice and the rights to establish humanitarian/charity organisations, accept voluntary financial contributions from

individuals and institutions, and engage in national and international communication for religious purposes.

- In 2020, the government again failed to pass draft legislation that would incorporate the recommendations of the Venice Commission of the Council of Europe by disallowing the legal registration of currently unrecognised religious communities.
 - The Law on Freedom of Religion prevents some religious communities from registering as legal entities, a designation that would allow them to more easily buy and rent property, access burial sites, establish bank accounts, and carry out other administrative activities.
- Evaluations
 - The imposition of a policy of non-registration is impermissible to RoRB standards.
 - Indirect registration without legal registration or existential recognition is impermissible to RoRB standards.
 - The government's refusal to allow for the legal registration of currently recognised religious communities is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **National identity documentation:** *an individual's religion is not included on passports or national identity documents except for birth and marriage certificates, on which it is mandatory. On birth certificates issued to Muslims, there is no distinction between Sunni and Shia. Members of non-Abrahamic faiths are not able to list their religion on their birth certificate and a dash (-) is denoted in place of their religion.*
- Communal activity
 - **Foreign missionary activity:** *the KPEC again stated the Kosovo Immigration Office continued to deny recognition of foreign missionaries engaged by its member churches. The KPEC*

said the Customs Service continued to require its members to pay taxes on humanitarian aid they received from abroad during the year, while exempting some other religious communities, such as the BIK, from the taxation. In addition, according to the KPEC, some businesses did not respect the value-added tax exemption for goods purchased by its member churches due to what it stated was religious prejudice.

- **Hierarcy:** the importation of religious materials or devotional items into Kosovo is permitted without restriction, both for personal and propagational use.
- **Historical religious sites:** the law provides safeguards for sites of religious and cultural significance and prohibits or restricts nearby activities that could damage the surrounding historical, cultural, or natural environment.
 - *According to the law, the IMC is responsible for arbitrating disputes between the government and the SOC concerning SPZs and other matters related to protecting the SOC's religious and cultural heritage. The IMC is a special body originating from the 2007 Comprehensive Proposal for the Kosovo Status Settlement (also known as the Ahtisaari Plan) and established by law. IMC members include the Ministry of Economy and Environment (cochair); Special Representative of the European Union (cochair); Ministry of Culture, Youth, and Sport; SOC; and OSCE.*
- **Land provision:** the KPEC said municipalities, which are responsible for allocating land to religious communities, refused to provide it land for church buildings. The KPEC said it requested land from 38 municipalities during the year but received an allocation from only two, in Gjilan/Gnjilane and Vushtrri/Vucitrn Municipalities. The KPEC reported it had not received a response from the remaining municipalities.
- **Religious holidays:** the KPEC said government officials' public recognition or celebration of Islamic holidays such as Eid al-Adha was discriminatory against religious minorities because government officials did not make similar statements to celebrate non-Islamic holidays. The KPEC also said the

government's official calendar of holidays referred to "Catholic" or "Orthodox" holidays, but not "Christian" or "Protestant" holidays. The KPEC stated the government's lack of vocal advocacy for religious minorities contributed to a perceived climate of discrimination. The KPEC also said the presence of Islamic imagery in some public buildings contributed to a perception of Muslim influence over government institutions.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Kosovo's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** *the constitution provides for the Ombudsperson's Institution, which is responsible for monitoring religious freedom, among other human rights, and recommending actions to correct violations. It stipulates the state shall take all necessary measures to protect individuals who may be subject to threats, hostility, discrimination, or violence because of their religious identity.*

Social dimensions of RoRB

- **Jews:** *the Jewish community in Prizren said it received approval from the government in August to start renovation of a building dedicated to the Jewish Cultural Center/Synagogue in Prizren. The Jewish community said renovation work depended on funds yet to be raised, adding the Ministry of Culture, Youth, and Sport allocated 80,000 euros(\$90,700) during the year for the project.*

Overview

- There doesn't exist an official recognition system for belief systems, religious communities or otherwise in Kosovo which maintains a hegemony for the five "traditional" religions.
- Islam, Serbian Orthodox Church (SOC), Catholic Church, Judaism and Eastern Protestantism possess some degree of existential

recognition as the five “traditional” religions; however, this demonstrates how recognition is used to exclude non-traditional religions and communities.

- The five traditional religions and organisations associated with them receive benefits not granted to other “non-traditional” religions and their associated organisations which demonstrates partial recognition.
- There are few provisions for the legal protection of groups other than the five “traditional” ones which shows deep unstructure exists that ultimately allows for the misuse of recognition.

Positive elements

- An ombudsperson office has been established to monitor and investigate human rights abuse cases.

Recommendations

- Establish a recognition system that in the country that has the capacity to both existentially recognise and legally register all religious and belief groups simultaneously and at multiple levels of activity (from belief systems, to denominations, to single religious buildings).
- Tighten up or remove subjective language from the legislation that is vulnerable to misuse by authorities as a means of inhibiting religious activity, especially by non-traditional groups.
- Revoke indirect registration, stop barring unrecognised religious communities from obtaining legal status, revoke the weaponisation of terms as well as the vertical nature of the recognition system.

Restriction tools implemented

- Ambiguity persist regarding many aspects of religious life, including the right to proselytise, the laws surrounding conversion, the laws on public worship.
- Misuse of recognition is in effect that excludes “non-traditional” belief systems.

- Non-existence of procedures for either existential recognition or legal registration.
- Restrictions persist on what unregistered religious organisations and communities can do including simply administrative activities and the burial of their deceased.
- Stipulatory registration.
- Subjective language used in the legislation is likely to be used against “non-traditional” belief systems and their communities.

History of RoRB classification

- Kosovo was originally classified as Ambiguous-Restrictive in the SRR as part of the 2021 RoRB Index.
- However, with a move away from the use of the Ambiguous classification in the SRR, Kosovo has seen itself reclassified as Restrictive for the 2022 instalment of the RoRB Index.

Kuwait, State of — Censorious

RoRB and national identity

- The Constitution of Kuwait makes an explicit claim to freedom of religion or belief although the caveat is instituted that the practice of religion must remain “in accordance with established customs, and does not conflict with public policy or morals”.
- The Constitution of Kuwait establishes Islam as the state religion though no specification is given as to a state denomination.
- The Constitution declares sharia to be a main source of legislation and all individuals to be equal before the law regardless of religion. It declares the Amir shall be Muslim (the Amir and ruling family are Sunni) and the state shall safeguard the heritage of Islam.

Recognition law

- Structures and procedures for existential recognition
 - **Recognised religions:** the officially registered and licensed Christian churches in the country are: National Evangelical Church of Kuwait (NECK) (Protestant); Roman Catholic; Greek Catholic (Melkite); Coptic Orthodox; Armenian Orthodox; Greek Orthodox; Anglican; and The Church of Jesus Christ of Latter-day Saints.
 - **Unrecognised religions:** the government does not recognize any non-Abrahamic religions. Non-recognised religious groups include Hindus, Sikhs, Druze, Bohra Muslims, and Baha'is.
- Evaluations
 - A vertical system of recognition exists in which Islam is given full recognition by being elevated to state religion, “recognised religions” are given a lesser degree of recognition, while what the government views as any non-Abrahamic religion remains unrecognised.

Registration law

- Structures and procedures of legal registration
 - **Mandatory indirect registration:** the government does not provide any official mechanism for the registration of religious groups separate from their places of worship as the registration procedures are integrated with the registration of places of worship; the government does not provide guidance or support to groups seeking legal registration.
 - **Procedure for places of worship is based on a process of multi-registration:** religious groups are mandated to apply in writing for a license from the municipal authorities to establish an official place of worship and to gain the full range of benefits available from the central government. There is no fixed criteria for how a group may qualify. Once the license from the municipal authorities has been approved, the municipal authorities then consult the Ministry of Awqaf and Islamic Affairs (MAIA) regarding the application although the MAIA claims that it does not have the authority to give formal registration of the building. *MAIA then issues a certificate that lists board members for the organisation, making the religious group a legal entity. Once this certificate is granted, further approvals are required by MOSA and the Ministry of Interior (MOI). Once these ministries give these approvals, the municipality must grant the final license, which requires the community leaders to obtain written permission from all the immediate neighbors occupying the properties around the proposed place of worship. The government often provides applicants no information about the status of their pending registration or if they have been rejected at any point. There is no recourse to appeal the decision; it is considered a “sovereign act” and cannot be challenged in court.*
 - **Registration rate:** *the government said it did not receive additional requests for registrations of new groups during the year..*
- Evaluations

- The government's refusal to establish official legal registration procedures for BBOs separate from their places of worship is impermissible to RoRB standards.
- The imposition of multiple procedures for the registration of places of worship is also impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Citizenship law:** *the law prohibits the naturalisation of non-Muslims but allows male citizens of any religion to transmit citizenship to their descendants. Female citizens, regardless of religion, are unable to transmit nationality to their children.*
 - **Hieronymy:** the importation of religious materials or devotional items into Kuwait is restricted, especially non-Islamic literature intended for propagational use. It is likely that either the MAIA, the MOSA, or the MOI or all of these government departments will need to review religious materials before they are imported.
 - According to the FedEx Cross Border global lists, “items offensive to Muslim culture” are prohibited from importation into Kuwait which could easily be interpreted broadly to include non-Islamic religious literature.
 - **Identity documentation:** *an individual's religion is not included on passports or national identity documents except for birth and marriage certificates, on which it is mandatory. On birth certificates issued to Muslims, there is no distinction between Sunni and Shia. Members of non-Abrahamic faiths are not able to list their religion on their birth certificate and a dash (-) is denoted in place of their religion.*
- Communal activity
 - **Blasphemy:** the law allows citizens to file criminal charges against anyone they believe has defamed any of the three recognised Abrahamic religions or harmed public morals.

- **Building permits:** municipalities handled building permits and land issues for religious groups. The government said it received no applications for construction of new churches from religious groups during the year.
 - **Displaying symbols:** authorities continued the government's longstanding practice of prohibiting churches from displaying exterior signs, such as a cross or church bell.

- **Foreign missionary activity:** the Ministry of Interior, in coordination with PAM, issued visas for clergy and other staff to work at licensed places of worship. The government continued to impose quotas on the number of clergy and staff of licensed religious groups entering the country but sometimes granted additional slots upon request. The government continued to require foreign leaders of unregistered religious groups to enter the country as nonreligious workers.

- **Land use:** if a religious group wishes to purchase land, a citizen must be the primary buyer and must submit a request for approval to the local municipal council, which allocates land at its discretion. Citizens may also rent or donate land to religious groups.

- **Religious events:** the government continued to require religious groups to obtain licenses from their respective municipalities for religious celebrations. Authorities retained the right to withdraw the license of any husseiniya not complying with the municipality's rules. Minority religious communities continued to state they tried to keep a low profile and did not request permission for public celebrations from authorities, which they presumed would be rejected if they applied for it.
 - Members of non-Abrahamic faiths and unregistered churches continued to say they experienced hardship in commemorating major religious or life events. Almost uniformly across these communities, members said they lacked sufficient religious facilities and religious leaders or clerics to lead prayers, bless births and marriages, and conduct appropriate death rituals. In many cases, members of these religious groups stated they resolved conflicts, such as child separation issues in divorce, marital status, or

inheritance, internally within their communities rather than take legal action in the courts where they would be subject to sharia.

- **Religious literature:** *the government allowed only shops owned by registered religious organizations to import, display, or sell non-Islamic religious literature. The government did not permit non-Islamic religious publishing companies, although several churches published religious materials solely for their congregations' use. Church leaders continued to report the government permitted registered Christian churches to import religious materials for use by their congregations under the condition that none of the content insulted Islam. Registered churches reported they were able to import religious materials in any language. According to the Ministry of Information, the MAIA reviewed books of a religious nature. Members of nonAbrahamic faiths and non-registered churches continued to state they could import religious materials for their congregations if they brought in the materials as personal items when entering the country and did not try to sell them in public stores. While minority religious communities said they continued to be selective in the religious materials they imported, and even more selective in giving access to the materials, many noted this was less of an issue during the year, given their activities had moved almost entirely online due to COVID-19. They said they did not allow the circulation of these materials outside their congregations.*
- **Unlicensed mosques:** *again citing security concerns, authorities stated they continued to act against unlicensed mosques. The government tasked MAIA, MOI, Kuwait City municipality, and other agencies with finding solutions to end the use of such unregistered mosques. During the year, the government continued to close makeshift mosques for operating without proper licenses. MAIA continued to operate under a mandate from the Council of Ministers to demolish unregistered mosques, stating that some of those mosques served as extremist platforms. The demolition of these mosques continued during the year. Authorities said new unlicensed mosques continued to open. MAIA sources stated the ministry attempted to bring some*

underground mosques under its supervision by appointing and vetting imams, monitoring sermons, and licensing them.

- Penal code
 - **Blasphemy law:** *the law prohibits the defamation of the three Abrahamic religions and denigration of Islamic and Judeo-Christian religious figures within accepted Islamic orthodoxy (e.g., prophets mentioned in the Quran or companions of the Prophet Muhammad), and prescribes a punishment of up to 10 years in prison for each offence.*
 - **Broadcasting and publication:** *the law criminalises publishing and broadcasting content, including on social media, which the government deems offensive to religious “sects” or groups, providing for fines ranging from 10,000 to 200,000 dinars (\$32,900-\$658,000) and up to seven years’ imprisonment.*
 - **Hate crimes:** *a national unity law prohibits “stirring sectarian strife,” promoting the supremacy of one religious group, instigating acts of violence based on the supremacy of one group, or promoting hatred or contempt of any group. Violations of this law by individuals are punishable by up to seven years’ imprisonment, a fine of 10,000 to 100,000 Kuwaiti dinars (\$32,900-\$329,000), or both. Repeated crimes carry double penalties. If a group or an organisation violates the law, it could have its license to operate revoked temporarily or permanently, and it could be fined up to 200,000 dinars (\$658,000). Non-citizens convicted under this law are also subject to deportation.*
 - **Proselytism:** *the law does not specifically prohibit proselytising by non-Muslims but individuals proselytising may be prosecuted under laws criminalising contempt of religion.*
 - **Ramadan law:** *the law prohibits eating, drinking, and smoking in public between sunrise and sunset during Ramadan, including for non-Muslims, with a prescribed*

maximum penalty of up to 100 dinars (\$330), one month's imprisonment, or both.

- **Sorcery:** *the law prohibits practices the government deems inconsistent with Islamic law, including anything the government deems to be sorcery or black magic, which under the penal code constitutes "fraud and deception" and carries a maximum penalty of three years' imprisonment, a fine, or both.*
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Kuwait to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians:** several Christian churches are officially registered.
 - *Christian churches continued to report that government authorities did not respond to their petitions for expanding existing places of worship or increasing the number of staff the churches could sponsor. The Greek Catholic Church indicated that it had requested additional land near its location in 2020 to accommodate more worshippers but had not received a response by year's end. Some churches said they stopped submitting such requests because the government did not respond.*
- **Non-Muslim minorities:** members of other non-Muslim minority groups are generally permitted to practice their faiths in private.
- **Shia Muslims:** Shia Muslims have their own religious institutions, including Sharia (Islamic law) courts, though the government does not permit training of Shiite clerics in the country.
 - *Shia community members reported a continued lack of facilities for worship and difficulties obtaining permission to construct new facilities caused by the government's delay in approving repairs to existing mosques or constructing new ones. MAIA reported there were 1,735 mosques in the country, including 46 mosques opened during the year. According to 2018 government statistics, of the 1,601 mosques existing that year, 1550 were Sunni and 51 Shia.*

According to Shia representatives, over the past two years, the government authorized licenses for seven mosques to be built. A source from the Shia community said that while there were three Shia mosques under construction, no new Shia mosques opened during the year. There were 20-30 husseiniyas registered with the MOI, and thousands of smaller Shia gatherings took place in private homes.

- **Sunni Muslims:** the government appoints Sunni imams and oversees their sermons.

Overview

- Islam is the state religion.
- There are no formal procedures for any non-Islamic group to gain recognition with the government and government offices do not provide support in this endeavour.
- There exists a mandatory registration for groups wishing to build a place of worship; this registration takes place with the municipal office in which the place of worship is proposed to be located; broad politicisation of this process takes place as the municipal office is obligated to converse with the MAIA before many approval decisions; a vague, multi-step process then continues with requirements of approval from several different government ministries and signatures of neighbours to the proposed place of worship make the process highly censorious; considering a decision that denies a place of worship to be built cannot be appealed, the process is hardly practicable.
- Although several Christian churches have been registered for places of worship, these forms of registration are not comparable to that of Islam or the Muslim community in the country despite claims of equal treatment.
- The imposition of Islamic practices on non-Muslims is demonstrative of the government's disregard for religious freedom.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present system that inhibits the vast majority of religious activities; this process must take place first before Kuwait can be reclassified as restrictive; revoke the vertical orientation of the recognition system and multi-registration.

Restriction tools implemented

- Ambiguous due to the fact that there exists no recognition system.
- Blasphemy laws are still in effect with retributions of imprisonment imposed.
- False claim to freedom of religion or belief.
- Laws surrounding the publication and broadcasting of religious content are subjective enough to allow the government to prohibit any group from publishing content the state does not agree with.
- Mandatory registration applies for groups wishing to establish a place of worship.
- National unity law also provides ample opportunity for the government to condemn groups it does not agree with on baseless charges with retributions including fines, imprisonment, and for non-citizens, deportation.
- Non-existence of a recognition system for any belief system other than Islam.
- Partial recognition is in effect.
- Acts of proselytism are charged with “contempt of religion” with retributions to follow.
- Subjective language in the legislation gives broad scope for the government to restrict any religious activity that it does not agree with.

History of RoRB classification

- Kuwait was originally classified as Ambiguous-Censorious in the SRR as part of the 2021 RoRB Index.

- However, with a move away from the use of the Ambiguous classification in the SRR, Kuwait has seen itself reclassified as just Censorious for the 2022 instalment of the RoRB Index.

Kyrgyz Republic — Censorious

RoRB and national identity

- The Constitution of Kyrgyzstan makes an explicit claim to freedom of religion or belief although this right is regularly infringed upon by the government in practice.
- The Kyrgyz Republic is a secular state.
- The law also claims that all religions and religious groups are equal.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Kyrgyzstan.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Kyrgyzstan demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all religious groups must register with it before conducting any activities, even those classified as “basic religious activities” in RoRB standards that are regarded to be reasonably exempt from registration. The law prohibits activity by unregistered religious groups.
 - **Dual registration procedure:** an application form must be submitted to the State Commission of Religious Affairs (SCRA).

- **Informational requirements:** organisational charter, minutes of the organising meeting, and a list of founding members.
- **Localisation:** each congregation of a religious group must register separately.
- **Membership quota:** each congregation must have at least 200 resident founding citizens in order to register.
- **Reregistration:** foreign religious groups are required to renew their registrations with the SCRA annually.
- **Dual registration procedure:** once the SCRA has granted approval, the group must then submit an application to the Ministry of Justice to obtain legal entity status.
 - **Informational requirements:** a group charter with an administrative structure and a list of board and founding members.
 - **Registration benefits:** eligibility to own property, open bank accounts, and otherwise engage in contractual activities. If a religious group engages in a commercial activity, it is required to pay taxes. By law, religious groups are designated as NGOs exempt from taxes on their religious activities.
- **Places of worship:** the law also requires that religious groups register with local councils to establish new places of worship, despite a 2016 Supreme Court decision that nullified this section of the law.
- **Denial of registration:** *the SCRA is legally authorized to deny the registration of a religious group if it does not comply with the law or is considered a threat to national security, social stability, interethnic and interdenominational harmony, public order, health, or morality. The SCRA may also deny or postpone the registration of a particular religious group if it deems the proposed activities of the group are not religious in character. Denied applicants may reapply at any time or may appeal to the courts.*
- **Registration rate:** *in 2020 (the most recent information available), the SCRA reported it registered 112 mosques, 11 Christian churches (no information provided on denominations), 38 religious schools, and 28 religious organizations through October. The SCRA also reported that there were 2,662 registered mosques, two registered Islamic*

universities, 141 registered madrassahs, and 77 registered Islamic foundations in the country.

- **Potential registration law amendments:** *in May, the government introduced amendments to the law governing freedom of religion and religious organizations, although religious experts reported in September that the government had postponed discussion of the amendments. The amendments would formally abolish the requirement that religious organizations be approved by the relevant local government in addition to registering with the SCRA. The amendments would also require that individuals notify the government prior to undertaking religious education abroad and would abolish the 200-member minimum for registration as a religious organization in any given geographic location, which would make it easier for registered organizations to create smaller filial branches across the country.*

- Evaluations

- The imposition of a mandatory registration order onto BBOs and religious groups is impermissible to RoRB standards.
- Mandatory registration of new places of worship is also impermissible to RoRB standards.
- The imposition of membership quotas onto registrant religious groups and a reregistration order are both impermissible to RoRB standards.
- The necessity for a registrant religious group or BBO to undergo a secondary procedure with a second government ministry to complete registration is impermissible to RoRB standards as dual registration is onerous.
- The localisation of registration procedures is also impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Kyrgyzstan as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Kyrgyzstan is permitted, both for personal and propagational use, as long as the material is reviewed and approved by the SCRA.
 - *While the law does not require examination of all religious literature and materials, religious groups, including Jehovah's Witnesses, again stated that the SCRA required they submit 100 percent of their imported religious material for review. According to Jehovah's Witness representatives, the SCRA continued its practice of having individuals designated by the SCRA as experts examine imported religious materials submitted for review by religious organizations, although the law did not mandate such a review. There continued to be no specific procedure for hiring or evaluating the experts who examined the religious literature that groups intended to distribute within their places of worship. According to religious studies academics, the SCRA continued to choose its own employees or religious scholars whom the agency contracted to serve as the experts. Attorneys for religious groups continued to say the experts chosen by the SCRA were biased in favour of prosecutors and were not formal experts under the criminal procedure code. The State Forensic Service, with support from SCRA on religious matters, screened the content of websites, printed material, and other forms of media for extremist content.*
 - **Missionary activity:** according to the law, only individuals representing registered religious organisations may conduct missionary activity. If a foreign missionary represents an organisation approved by the SCRA, the individual must apply for a visa with the Ministry of Foreign Affairs. Visas are valid for up to one year, and a missionary is allowed to work three consecutive years in the country. All foreign religious entities, including missionaries, must operate within these restrictions and must reregister annually. Representatives of religious groups acting inconsistently with the law may be fined or

deported. Violations of the law may result in fines of 1,000 som (\$12), and deportation in the case of foreign missionaries.

- **Prohibitions:** *the law gives the SCRA authority to ban a religious group in cases where courts concur that a religious organisation has undermined the security of the state; undertaken actions aimed at forcibly changing the foundations of the constitutional system; created armed forces or propaganda advocating war or terrorism; engaged in the encroachment on the rights of citizens or obstruction of compulsory education of children; coerced members to remit their property to the religious group; or encouraged citizens to refuse to fulfil their civil obligations and break the law. The group may appeal the decision in the courts.*
- **Proselytism:** *it prohibits “insistent attempts to convert followers of one religion to another” and “illegal missionary activity,” defined as missionary activity of groups not registered with the SCRA, a government organisation composed of presidential appointees, which is responsible for overseeing the implementation of the law’s provisions on religion. The law also prohibits the involvement of minors in organised, proselytising religious groups unless a parent grants written consent.*
- **Religious education and instruction:** *the law requires all religious groups and religiously affiliated schools to register with the SCRA.*
- **Religious literature:** *the law provides for the right of religious groups to produce, import, export, and distribute religious literature and materials in accordance with established procedures, which may include examination by state experts. The law does not require government examination of religious materials (such as literature and other printed or audio or video materials), and it does not define the criteria for state religious experts. The law prohibits the distribution of religious literature and materials in public locations or in visits to individual households, schools, and other institutions. The law specifies fines based on the nature of the violations. The law requires*

that law enforcement officials to demonstrate an intent to distribute extremist materials to arrest a suspect.

- Penal code
 - **Hate crimes:** the constitution prohibits religious groups from “involvement in organisational activities aimed at inciting ethnic, racial, or religious hatred.” A conviction for inciting ethnic, racial, or religious hatred may lead to a prison term of three to eight years, while a conviction for creating an organisation aimed at inciting ethnic, racial, or religious hatred may lead to a prison term of five to 10 years. Conviction for murder committed on the grounds of religious hatred is punishable by life imprisonment.
 - **Unregistered religious gatherings:** the law prohibits unregistered religious groups from actions such as renting space and holding religious services; violations may result in an administrative fine of 500 som (\$6).
- Facilitation of religion or belief
 - **Ombudsmanship:** the Ombudsman of the Kyrgyz Republic carries out parliamentary control measures over the observance of rights and freedoms in the country.

Social dimensions of RoRB

- **Ahmadi Muslims:** have been prevented from meeting since 2011¹⁵ due to inability to successfully register and hostility from officials to this relatively new denomination of Muslims.
- **Falun Gong practitioners:** refusal to allow the Falun Gong spiritual movement to exist¹⁶.

¹⁵ https://www.forum18.org/archive.php?article_id=2711

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- **Jehovah's Witnesses:** organisations such as the Jehovah's Witnesses often face police harassment.
- **Minorities:** groups outside the traditional Muslim and Orthodox Christian mainstream reportedly have difficulty obtaining registration.
- **Misrecognition of Tengrinists:** *unlike in previous years, the Tengrinists did not apply to register as a religious group. Tengrinists last applied for registration in 2018. In September 2021, an SCRA official explained that the SCRA continues to view Tengrinism as a collection of traditional beliefs, rather than a religion.*
- **Muslims:** the government also monitors and restricts some Islamic groups, including the nonviolent Islamist movement Hizb ut-Tahrir and Yakyn Inkar, which practices strict asceticism.

Overview

- Recognition and registration are amalgamated; a degree of existential recognition is provided to Islam and Orthodox Christianity due to their long-standing existence in the country but no formal procedures for existential recognition exist for any group; a focus is placed on legal registration.
- Registration with the government does not bestow genuine freedom to engage in religious activity without government intervention.
- Informational requirements seem appropriate but are likely to be manipulated against the applicant group considering the government's overall approach to religion and belief of its citizens.
- There exists a multi-step process for legal registration, first with the SCRA and secondly with the Ministry of Justice; the former process assures the group's validity to exist while the latter assures the group's validity to engage in commercial activities as a legal entity; this multi-step process is ultimately censorial of religious activity.

- The stipulation that each congregation of a religious community must register separately and the imposed membership quota is censorious.
- The rule of mandatory registration for all groups and group activities is a severe violation of the Bielefeldt provision.

Positive elements

- Nil.

Recommendations

- Dismantlement of the system to restrict religious activity and of the abusive system of registration that purely exists to stop groups the government does not approve of from congregating; revoke all identified restriction tools in the registration system.

Restriction tools implemented

- Contradictions and therefore ambiguity exists within the law regarding the requirement for new places of worship requiring local governmental approval.
- Distribution of religious literature is restricted; the degree to which the government censors religious texts remains vague.
- Mandatory registration for all religious groups and individual instances of activity.
- Membership quotas are in effect.
- Proselytism is highly censored.
- Registration restriction tool is in effect for foreign religious groups.
- Subjective language in the legislation is widespread, hence leading to its manipulation and misuse against religious groups and their activities often with baseless levied against groups.
- The police force is often used by the state as a means to harass unregistered or non-traditional groups (e.g. Jehovah's Witnesses).
- Unregistration is prohibited and subject to retributions including fines (though these fines look to be relatively low).

History of RoRB classification

- Kyrgyzstan has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Lao People's Democratic Republic — Censorious

RoRB and national identity

- The Lao Constitution makes an explicit claim to freedom of religion or belief although this right is regularly infringed upon in practice.
- The Lao People's Democratic Republic is a secular state; although Laos remains a Communist state, Laos ceased to espouse state atheism until recently.
- The Lao Constitution extends state privilege to Theravada Buddhism but does not establish Buddhism as the state religion.
- The Constitution also states the government respects and protects all lawful activities of Buddhists and followers of other religions and “mobilises and encourages Buddhist monks and novices as well as the priests of other religions to participate in activities that are beneficial to the country and people.”
- Decree 315 upholds “respect for the religious rights and freedom” of both believers and nonbelievers. The decree's stated purpose is to set the principles, regulations, and laws concerning the governance and protection of religious activities for clergy, teachers of religion, believers, and religious groups in order to preserve and promote national culture, increase solidarity among members of religious groups, and “preserve and develop the nation.” The decree clarifies rules for religious practice and defines the government as the final arbiter of permissible religious activities. The decree reiterates the constitutional priority that religious practice should serve national interests by promoting development and education and by instructing believers to be good citizens.
- The country is party to the International Covenant on Civil and Political Rights (ICCPR), with a reservation that Article 18 on freedom of religion shall not be construed as authorising or encouraging any activities to directly or indirectly coerce or compel an individual to believe or not to believe in a religion or to change his or her religion or belief, and that all acts that create division and discrimination among ethnic groups and religious groups are incompatible with the article.

Recognition law

- Structures and procedures for existential recognition
 - **Recognised religions:** the government officially recognises four religions: Buddhism, Christianity, Islam, and the Baha'i Faith.
 - **State privilege:** the decree states the government may sponsor Buddhist facilities, incorporate Buddhist rituals and ceremonies in state functions, and promote Buddhism as an element of the country's cultural and spiritual identity and as the predominant religion of the country. the LPRP controls clergy training and supervises Buddhist temples.
- Evaluations
 - The provision of existential recognition is welcomed but there are no established procedures for unrecognised belief systems and denominations to also received recognition in the same way that the four recognised religions have.
 - State privilege is impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all religious groups register with it in order for them to legally conduct religious activities regarded as "basic" by RoRB and thereby should not require registration with the government in order to freely conduct.
 - **Procedure:** the Ministry of Home Affairs (MOHA) deals with religious registration in Laos. Religious groups may affiliate with an officially recognised religion although this is not a mandatory requirement.
 - **Informational requirements:** information on elected or appointed religious leaders to national, provincial, district, and village-level MOHA offices for review and certification.

- **Confinement:** religious groups operating in multiple provinces must obtain national MOHA approval; groups operating in multiple districts must obtain provincial-level approval; and groups operating in multiple villages are required to obtain district-level approval. If a group wishes to operate beyond its local congregation, it must obtain approval at the corresponding level. A religious activity occurring outside a religious group's property requires village authority approval. Activities in another village require approval from district authorities, from provincial authorities for activities in another district, and from national authorities for activities in another province.
- **Preapproval:** the decree states that nearly all aspects of religious practice – such as congregating, holding religious services, travel for religious officials, building houses of worship, modifying existing structures, and establishing new congregations in villages where none existed – require permission from a provincial, district-level, and/or central MOHA office.
- **Monitorial requirements:** religious groups must submit annual plans of all activities, including routine events, in advance for local authorities to review and approve. MOHA must collect information and statistics on religious operations, cooperate with foreign countries and international organisations regarding religious activities, and report religious activities to the government.
- **Deregistration:** MOHA may order the cessation of any religious activity or expression of beliefs not in agreement with policies, traditional customs, laws, or regulations within its jurisdiction. It may stop any religious activity it deems threatening to national stability, peace, and social order, causing serious damage to the environment, or affecting national solidarity or unity among tribes and religions, including threats to the lives, property, health, or reputations of others.
- **Mandatory registration of places of worship:** all houses of worship must register under the law and conform to applicable regulations.
 - **Procedure:** per Decree 315, the building permit process for constructing houses of worship begins with an

application to local authorities and then requires district, provincial, and ultimately central-level LFND and MOHA permission.

- **Land quota:** must own 5,000 square meters (54,000 square feet) of land to construct a place of worship.
 - *Some sources said the legal requirement that a religious organization own 5,000 square meters (54,000 square feet or 1.24 acres) of land to build a church or temple limited the ability of some smaller congregations, which lacked sufficient resources, to obtain a space of that size. Seventh-day Adventist Church leaders stated they continued to struggle to purchase enough land in urban areas, where most Seventh-day Adventists live, to meet the land requirement. They said the largest Seventh-day Adventist Church, located in Vientiane, sits on less than 3,300 square meters (35,000 square feet).*
 - *Religious groups reported challenges with obtaining the proper land titles for parcels of land for places of worship. MOHA officials required groups to place land titles in the name of the religious group rather than in the name of a member or religious leader. Religious groups, however, reported experiencing lengthy delays when seeking to change their titles with the Ministry of Natural Resources and Environment's Department of Land.*
- **Monitorial requirements:** MOHA officials at all levels must approve any maintenance, restoration, or construction activities at religious facilities. Local authorities may provide opinions regarding building, care, and maintenance of religious facilities, present their findings to their respective provincial governors and city mayors for consideration, and subsequently ask MOHA to review and approve activities conducted in religious facilities

- Evaluations

- The imposition of a mandatory registration order onto all BBOs and religious groups in order for them to legally operate in Laos is impermissible to RoRB standards.

- The imposition of a capacity quota and policies of confinement onto religious groups operating in Laos is impermissible to RoRB standards.
- The misuse of monitorial requirements and deregistration procedures against groups that the government does not favour.
- The imposition of a preapproval policy to limit religious activity is also impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Identity documentation:** The decree requires Buddhist clergy to have identification cards, and clergy of other religions are required to have certificates to prove they have received legitimate religious training.
 - **Public position requirements:** *leaders of the Catholic Church and Seventh-day Adventist Church said Christian officials needed to hide their religion in order to join the LPRP government, or military and to avoid facing discrimination in these institutions. Some non-Buddhists identified as Buddhist in their family book (a household registration document). Seventh-day Adventist officials continued to say there was a “hidden law” mandating a citizen could not be both a Christian and a member of the LPRP. Members of other minority religious groups said it was hard for their members to join the government, advance to higher-level positions, or become village chiefs.*
- Communal activity
 - **Construction of places of worship:** *many religious leaders also said they continued to experience lengthy delays in obtaining permits for church construction and generally received no response to requests. A Catholic Church official said the Church had been awaiting approval for years to build a new church in Hinherb District, Vientiane Province, which was ultimately denied. According to the Catholic Church*

representative, the Church had been waiting since 2007 to receive approval to renovate a different church building in Kaoyod village, Chanthabouly District, Vientiane Capital. During this time, government officials seized a building on the same property previously used for training and education programs. Starting in 2020, a Chinese construction firm occupied the building while constructing a Chinese government-funded school on the adjacent lot. According to Church officials, the government intended to use the building as a dormitory for Chinese construction workers, but Church officials feared such use would damage the building. From March until June, the Church engaged in 12 rounds of negotiations to ensure that the building would be used as office space instead of living quarters. The government gave Church officials a letter promising the return of the building upon completion of construction but without a set date. The Church representative also said guidelines for the construction of religious buildings delineated in Decree 315 were unclear.

- **Funerary rites:** a government decree adopted in March defines principles and rules for “ethnic management.” One section of the decree provides for protection and preservation of traditional burial practices.
- **Hierarcy:** the importation of religious materials or devotional items into Laos is restricted, both for personal and propagational use, and the government prohibits the importation and exportation of unapproved printed and electronic religious materials. *The Ministry of Information, Culture, and Tourism and MOHA must approve religious texts or other materials before they are imported. MOHA may require religious groups to certify the imported materials are truly representative of their religions, to address issues of authenticity, and to ensure imported materials comport with values and practices in the country.*
 - *Authorities continued to control imports of religious materials, but several groups said they could access most religious texts and documents online. MOHA officials said they coordinated with religious groups to review imported materials to ensure these were in accordance with the*

organization's beliefs. Due to these restrictions, sources from the Baha'i community, and other religious groups, said they chose to produce and print their own religious documents in the country

- **International travel:** the Ministry of Education and Sports (MOES) and MOHA must approve the travel abroad of clergy and religious teachers for specialised studies. Students going abroad for any kind of study (including religious studies) generally require MOES approval. Domestic religious organisations that also conduct religious activities overseas must receive approval from the appropriate geographical MOHA level.
- **Land use for religious purposes:** *several minority religious groups reported challenges with restrictions on land acquisition, and on building and renovating places of worship, although the LFND Religious Affairs Department stated it continued to emphasise that designated church structures should replace house churches whenever possible. According to religious leaders, local authorities in many areas considered group worship in homes illegal and told villagers they needed permits to worship at home. The Seventh-day Adventist Church attributed the large number of house churches to difficulties in obtaining enough land to meet Decree 315 requirements.*
- **Proselytism:** a ban on public proselytising is generally enforced, and authorities make efforts to monitor the importation of religious materials.
- **Religious leadership:** according to the Law for LFND, the LFND may educate and meet with religious leaders, clergy, teachers, and members to ensure compliance with laws and regulations, reduce ethnic and religious tensions, and “contribute to the development of the nation.” LFND officials work with religious communities, police, and other authorities.
 - *Christian religious leaders said the government continued to strictly enforce a prohibition on proselytising in public areas, including by foreigners. The government did not restrict*

proselytising inside recognized places of worship. Both the Church of Jesus Christ and Seventh-day Adventists reported they had missionaries in the country, but the government restricted their activities to teaching English and promoting good health practices, such as hygiene and sanitation. Missionaries could not engage in religious discussions. The Church of Jesus Christ and the Catholic Church said they relied on informal person-to-person communication to attract new members.

- **Religious literature:** *the government controls written materials for religious audiences. Decree 315 regulates the importation and printing of religious materials and production of books, documents, icons, and symbols of various religions.*
- Penal code
- **Hate speech:** *the law prohibits all acts that create division among religious groups and classes of persons.*
- Facilitation of religion or belief
- **Ombudsmanship:** *there is currently no ombudsman office established in Laos to investigate cases of human rights violation in the country.*

Social dimensions of RoRB

- **Christians:** *there have been multiple cases in recent years of Christians being briefly detained or sentenced to jail for unauthorised religious activities or being pressured by authorities to renounce their faith. In October 2020, reports revealed that four Lao Christians had been jailed for several months for planning Christian funeral rites. That same month, a group of Lao Christians were evicted from their homes and moved into a forest because they would not renounce Christianity.*

Overview

- The government extends existential recognition of the belief systems of Buddhism, Christianity, Islam and the Baha'i Faith; it gives special attention and state privilege to Buddhism in its legislation; despite this privilege, Buddhists, both clergy and lay, are restricted in their activities.
- Religious organisations can affiliate with one of the four recognised belief systems, but this is not obligatory.
- The presentation of registration information to the four different levels of authority, namely national, provincial, district and village-level offices of the MOHA is unnecessary; similarly the requirement for all religious activity to be approved by the different office levels is highly censorial.
- The rule of mandatory registration is a violation of the Bielefeldt provision.
- The state's requirements surrounding the construction of places of worship are highly censorial and the government involvement in the process of construction and maintenance violates the autonomy of religious groups.

Positive elements

- Nil.

Recommendations

- Dismantlement of the present system that abuses recognition and registration to censor the religious aspects of the lives of citizens and the internal affairs of religious organisations.
- The current provisions for existential recognition are appreciated but should not be misused to exclude non-recognised religions; existential recognition should be extended to all belief systems.
- Revoke the restriction tools identified in the registration system.

Restriction tools implemented

- Confinement restriction tool is partially applied in that approval must be sought first in order for a religious group to operate outside of their designated zone.

- Evictions from one's home may be used as a punishment for not renouncing Christianity.
- Government involvement in religious activity and in the internal affairs of religious organisations is widespread and violates fundamental components of freedom of religion or belief.
- Importation and distribution of religious literature is highly restricted; censorship of religious materials and other religious items is standard practice for the Laotian government.
- Mandatory registration for all religious groups.
- Proselytism is under nationwide ban.
- State privilege extended to Buddhism.
- The mandatory registration of all aspects of religious activity is highly censorial.
- The use of subjective language in the legislation provides broad scope for the government to restrict religious activity without acting unconstitutionally.
- Unregistration is likely to end in their prohibition.

History of RoRB classification

- Laos has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Latvia, Republic of — Restrictive

RoRB and national identity

- The Constitution of Latvia makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice though with some infractions.
- The Republic of Latvia is a secular state.
- The Constitution allows restrictions on the expression of religious beliefs to protect public safety, welfare, morals, the democratic structure of the state, and others' rights.

Recognition law

- Structures and procedures for existential recognition
 - **Recognised traditional religions:** Lutherans, Catholics, Latvian Orthodox Christians, Old Believers, Baptists, Methodists, Seventh-day Adventists, and Jews. *Separate laws define relations between the state and each of these eight groups. The rights and activities of other religious groups are covered by a law on religious organisations.*
 - **Recognition benefits:** *the right to teach religion courses in public schools and the right to officiate at marriages without obtaining a civil marriage license from the MOJ. These eight groups are also the only religious groups represented on the government's Ecclesiastical Council, an advisory body established by law and chaired by the Prime Minister that meets on an ad hoc basis to comment and provide recommendations on religious issues. These recommendations do not carry the force of law.* The eight recognised religious groups are considered automatically legally registered and do not have to undergo registration procedures to receive benefits of registration.
- Evaluations
 - The provision of existential recognition and its separation from legal registration is welcomed although official

procedures for receiving existential recognition must be established and these should be accessible to all denominations in accordance with RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not mandate that religious groups register with it, listing marriage officiation — meaning a religious leader’s performance of a nuptial ceremony with legal effect — as a registration benefit in effect makes this “basic religious activity” subject to registration.
 - **Legal designation:** congregation is the lower level legal designation ascribed to religious groups in the country while religious association or church is the higher level legal designation.
 - **Procedure to register as a congregation:** a registration application should be submitted to the Ministry of Justice (MOJ) which deals with the registration of religious groups in the country.
 - **Membership quota:** at least 20 members age 18 or older. Individuals with temporary residency status, such as asylum seekers and foreign diplomatic staff, may count as members for the purpose of registration only during the authorized period of their residency permits.
 - **Informational requirements:** charters explaining their objectives and activities; a list of all group members (full name, identification number, and signature); the names of the persons who will represent the religious organisation; minutes of the meeting founding the group; confirmation that members voted on and approved the statutes; and a list of members of the audit committee (full name, identification number, and title).
 - **Registration benefits:** legal status to own property and conduct financial transactions, eligibility to apply for funds for religious building restoration, and tax deductions for donors. Registration also allows religious groups to perform religious activities in hospitals, prisons,

and military units and to hold services in public places such as parks or public squares, with the agreement of the local government. The law accords the same rights and privileges to the eight traditional religious groups, which it treats as already registered.

- **Monitorial requirements:** the registered congregation's audit committee is responsible for preparing financial reports on the group and ensuring it adheres to its statutes.
- **Procedure to register as a religious association:** a registration application should be submitted to the MOJ; if a group is applying as a religious association bypassing registration as a congregation, it will need to provide all the aforementioned informational requirements.
 - **Membership quota:** at least 200 members across at least ten different registered congregations.
 - **Qualifications:** the law does not permit simultaneous registration of more than one religious association of a single faith or denomination or of more than one religious group with the same or similar name.
 - **Registration benefits:** groups with religious association status, or status as a private society or foundation, may establish theological schools and monasteries.
 - **Monitorial requirements:** according to the law, all traditional and registered religious organisations are required to submit an annual report to the MOJ by March 1 regarding their activities and goals. They must also provide other data, including congregation size, number of clergy, number of weddings, other ceremonies performed, and details of group governance and financial status.
- **Denial of registration:** the ministry may deny an application if it deems registration would threaten human rights, the democratic structure of the state, public safety, welfare, or morals. Groups denied registration may appeal the decision in court.
- **Unregistration:** unregistered groups do not possess legal status and may not own property in the name of the group, although individual members may hold property. Unregistered groups may not conduct financial transactions

or receive tax-free donations. They may not perform religious activities in hospitals, prisons, or military units and generally may not hold worship services in public places without special permission.

- **Registration rate:** *during the year, the MOJ approved the applications of 10 religious groups that applied to register for the first time: the Autonomous Church SIKHISM; the Riga English Church of Jehovah's Witnesses; "Spirit Assembly International Ministries," the Riga Evangelical Christian Church; "Light of Zion," the Evangelical Christian Church New Generation congregation; "REBIRTH," the Latvian Evangelical Christian Church; "Source of Faith," the Valmiera Pentecostal Church; "KACIR," the Limbazi Pentecostal Church; "KACIR," the Riga Pentecostal Church; "Glory of God," the Riga Pentecostal Church; and "Hope," the Tukums Evangelical Pentecostal Church.*

- Evaluations

- Proposed grounds for the denial of registration are not necessarily a breach of RoRB standards but monitoring must be conducted to ensure these are not misused against groups unfavoured by the state to halt their activities.
- The restrictions placed on unregistered religious groups are impermissible to RoRB standards as they limit what some "basic religious activities".
- The imposition of a membership quota onto registrant religious groups is impermissible to RoRB standards as is the level of details about the group requested as part of monitorial requirements due to the vulnerability of groups of this information being used against them to restrict their activities or as grounds for unfair deregistration.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Latvia as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Latvia is permitted without restriction, both for personal and propagational use.
 - **Missionary activity**: the law stipulates foreign missionaries may be issued a residency permit, hold meetings, and proselytize only if a registered domestic religious group invites them to conduct such activities. Visa regulations require foreign religious workers to present letters of invitation, typically from a religious organisation, and either an ordination certificate or evidence of religious education that corresponds to a local bachelor's degree in theology. Religious workers from European Union or Schengen countries do not require visas.

- Penal code
 - **Unregistered religious activity**: the law stipulates fines ranging from 40 to 200 euros (\$49 to \$250) if an unregistered group carries out any activities that only registered or recognised religions are about to conduct.

- Facilitation of religion or belief
 - **Ombudsmanship**: since 2007, the law has established an independent Ombudsman's Office for Human Rights, called the Rights Defender. Its mandate includes helping to resolve cases of religious discrimination through collaboration with authorities. While it does not have enforcement powers, it may issue recommendations to specific authorities. Parliament appoints the ombudsman. The current ombudsperson is Juris Jansons who has held the post since 2011.

Social dimensions of RoRB

- **Muslims:** Latvia's small Muslim population has faced social pressure in the wake of a 2015 refugee crisis.

Overview

- State privilege is bestowed to Lutherans, Catholics, Latvian Orthodox Christians, Old Believers, Baptists, Methodists, Seventh-day Adventists and Jews; other groups are excluded from the benefits that these communities receive.
- Recognition and registration are differentiated but are misused to support a system of vertical recognition.
- Informational requirements for the registration process are intrusive.
- The mandate for registered groups to submit annual reports to the government is a further demonstration of the country's restrictivity.
- There exists one law for these eight recognised groups and another law dealing with all other unrecognised groups referred to as religious organisations.
- Recognition and registration are to some degree differentiated which is preferable.
- There are many unnecessary restrictions placed on unregistered groups.

Positive elements

- There exists an ombudsperson for the investigation of human rights abuse cases.

Recommendations

- Re-establish the recognition system so that it is inclusive of all belief systems.
- Revoke all restriction tools within the system identified in the above analysis.
- To become Dynamic, the government would need to establish a recognition agency to manage the recognition system, after which

it would relinquish its control to ensure the autonomy of the agency.

Restriction tools implemented

- Annual reports for registered groups are mandatory.
- Incremental membership quotas are in effect.
- Intrusive informational requirements are in effect.
- Retributions exist for unregistered groups that conduct activities designated for only registered organisations.
- State privilege is in effect.
- Stipulatory registration.
- There should not exist two separate parts of the legislation as this suggests unequal treatment.
- Vertical recognition is in effect.

History of RoRB classification

- Latvia has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Lebanese Republic — Restrictive

RoRB and national identity

- The Constitution of Lebanon makes an explicit claim to freedom of religion or belief although this right is generally upheld by the government in practice yet with some infractions.
- The Lebanese Republic is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - **Recognised religions/denominations:** 18 religious groups and denominations are given official existential recognition in Lebanon with family law legislation and their own religious courts. These are the Maronite Catholic, Eastern Orthodox, Melkite Catholic, Armenian Orthodox, Armenian Catholic, Protestant, Shia Muslims, Sunni Muslims, Alawite Muslims, Coptic Orthodox, Druze, Greek Orthodox, Isma'ili Muslims, Jewish, Roman Catholic, Syriac Catholic, Syriac Orthodox, Chaldean Catholic, and the Assyrian Church of the East.
 - **Informational requirements:** a statement of its doctrine and moral principles to the cabinet, which evaluates whether the group's principles are in accord with the government's perception of popular values and the constitution.
 - **Alternative procedure:** a non-recognised religious group may apply for recognition by seeking affiliation with another recognised religious group. In doing so, the non-recognised group does not gain recognition as a separate group but becomes an affiliate of the group through which it applies. This process has the same requirements as applying for recognition directly with the government.
 - **Recognition benefits:** *official recognition of a religious group allows baptisms and marriages performed by the group to receive government recognition, which also conveys other benefits, such as tax-exempt status and the right to apply the religious group's codes to personal status matters. By law, the*

government permits recognised religious groups to administer their own rules on family and personal status issues, including marriage, divorce, child custody, and inheritance. Shia, Sunni, recognised Christian, and Druze groups have state-appointed, government-subsidised clerical courts to administer family and personal status law. While the religious courts and religious laws are legally bound to comply with the provisions of the constitution, the Court of Cassation, the highest civil court in the judicial system, has very limited oversight of religious court proceedings and decisions.

- **Unrecognised religions/denominations:** groups the government does not recognize include Baha'is, Buddhists, Hindus, several Protestant groups, and the Church of Jesus Christ.
- **Unrecognised status:** *non-recognised religious groups may own property, assemble for worship, and perform religious rites freely. They may not perform legally recognised marriage or divorce proceedings, and they have no standing to determine inheritance issues. Due to agreements in the country's confessional system that designate percentages of senior government positions, and in some cases specific positions for the recognised religious confessions, members of non-recognised groups have no opportunity to occupy certain government positions, including cabinet, parliamentary, secretary-general, and director general positions. The government requires Protestant churches to register with the Evangelical Synod, a self-governing advisory group overseeing religious matters for Protestant congregations and representing those churches to the government. According to the constitution, recognised religious communities may operate their own schools, provided they follow the general rules issued for public schools, which stipulate schools must not incite sectarian discord or threaten national security. The government permits but does not require religious education in public schools. Both Christian and Muslim local religious representatives sometimes host educational sessions in public schools.*
- *According to local NGOs, some members of unregistered religious groups, such as Baha'is and members of non-recognised Protestant faiths, continued to list themselves as*

belonging to recognized religious groups in government records to ensure their marriage and other personal status documents remained legally valid. Many Baha'is said they chose to list themselves as Shia Muslims in order to effectively manage civil matters officially administered by Shia institutions, while members of the Church of Jesus Christ said they registered as evangelical Protestant.

- Evaluations
 - The provision of existential recognition is welcomed but not to the detriment of provisions for legal registration.
 - Existential recognition needs to be extended to all denominations and belief systems in Lebanon and activities classified as “basic” are not be misused as benefits of recognition because a group should not need recognition in order to perform/conduct them.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** there are no formal procedures for legal registration in the country that are prescribed and outlined by the government.
- Evaluations
 - The lack of formal procedures for the legal registration of BBOs in Lebanon is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Religious conversion:** by law, an individual is free to convert to a different religion if a local senior official of the religious group the person wishes to join approves the change. The newly joined religious group issues a document confirming

the convert's new religion, allowing the convert to register her or his new religion with the Ministry of Interior's (MOI's) Personal Status Directorate. The new religion is included thereafter on government-issued civil registration documents.

- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Lebanon is permitted without restriction, both for personal and propagational use.
 - According to the FedEx Crossing Border global lists, “items offensive to Muslim culture” are prohibited from importation.
 - *The Jewish community faced difficulty importing material for religious rites; customs agents were reportedly wary of allowing imports of any origin containing Hebrew script due to a national ban on trade of Israeli goods. During the year, the Jewish Community Council faced difficulty in renewing the mandate of its members, a legal requirement for groups that wish to continue to be recognized by the government, due to government officials' unwillingness to put their signatures on any document with the group's name on it, owing to concern this might be misinterpreted as support for Israel.*
 - **Religious literature:** officials from any of the recognised religious groups may request that the Directorate of General Security (DGS) ban a book.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Lebanon's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Lebanon to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Jews (issues with nominal restrictions):** *the government again failed to approve a request from the Jewish community to change its official name to the Jewish Community Council from the Israelite Communal Council (the group's officially recognized name). Jewish community representatives reported that the MOI delayed the verification of the results of the Jewish Community Council's election of members, which occurs every six years, with the last election taking place in February 2020. Regulations governing such councils require ministry verification of council election results. The council, which represents the interests of the country's Jewish citizens, has repeatedly submitted requests to change its government-appointed name to reduce social stigma, without success. The council blamed its official name in part for the difficulties experienced with renewals every six years. On November 10, the Minister of Interior said that he was conducting investigations into allegations that several council members were forging signatures of nonresident Lebanese Jews to illegally acquire property. As of year's end, the case had not been referred to the judiciary.*

Overview

- Recognition and registration look to be amalgamated rather than ideally differentiated with a focus on the former as existential recognition rather than on the latter as legal registration.
- There exists a short vertical recognition situation whereby a religious group can gain recognition directly with the government or receive it by affiliating itself with a group that has already received recognition, thus then becoming part of their already recognised group in the eyes of the government.
- Leaders from one religion, recognised or not, should have not say in the internal affairs or laws effecting another religious group; for example, they should not be able to request the banning of a book in order to censor other groups.
- Politicisation of the recognition process is evidential by the mandatory submission of documents to the cabinet which then evaluate the contents of the religion's beliefs in accordance with the government's accepted system of values; under religious

freedom, religious groups should not be discriminated against according to their beliefs and practices.

Positive elements

- Provisions are set in place for religious groups to hold independent adjudications for personal status issues in accordance with their own religious laws; the degree to which these provisions are universally is dubious.

Recommendations

- Re-establish the recognition system so that it becomes inclusive of all belief systems and is able to recognise in a multi-level capacity; revoke all the main restriction tools identified.

Restriction tools implemented

- Politicisation of the recognition process takes place.
- Religious leaders from a recognised group can request the banning of a book from another religion (inter-religious intervention).
- Several institutional hurdles exist for members of unrecognised religious groups and for those of no religion.
- Stipulatory registration.
- The laws surrounding conversion look to be appropriate but could easily be manipulated to restrict conversion.
- Vertical recognition is in effect.

History of RoRB classification

- Lebanon has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Lesotho, Kingdom of — Receptive

RoRB and national identity

- The Constitution of Lesotho makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice.
- The Kingdom of Lesotho is a secular state.
- The government extends state privilege to Christianity and Christian groups active in the country over non-Christian groups.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Lesotho.
 - **State privilege:** Christian groups are given privileges by the government when it comes to the propagation of their faith such as on television and radio.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Lesotho demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct what RoRB standards describe as “basic religious activities” that should not require prior registration to be conducted. There are no outlined mechanisms specific to religious groups for

registration or recognition, hence the procedures set out in law may be used by both secular and religious organisations.

- **Procedure:** registration comprises a process to attain legal entity status in the eyes of the government.
 - **Qualifications:** a constitution and a leadership committee.
 - **Registration rate:** most religious groups do register but there are no repercussions for unregistration.
 - **Registration benefits:** legal standing, formalises its structure under the law, and provides exemption from income tax.
 - **Unregistration:** in the absence of registration, religious organisations may operate freely, but without legal standing or any of the protections of registered organisations.
- Evaluations
 - The imposition of stipulatory registration is permissible to RoRB standards as long as no stipulations interfere in the free conduct of activities classified as “basic religious activities”.
 - The ability for unregistered religious groups to conduct their activities freely is welcomed.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Lesotho as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Broadcasting:** *a Muslim religious leader said Muslims had no access to state-owned television religious programming opportunities available to Christian groups, which left Muslims unable to propagate their religion through this medium. He stated the government did not agree to their request to recognize Islamic holidays and that the National Reforms Authority, which comprises representatives of political parties, nongovernmental organizations, and faith-based organizations,*

among others, rejected Muslim advice on the constitutional reforms process underway.

- **Hieronymy:** the importation of religious materials or devotional items into Lesotho is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Lesotho's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Lesotho to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Lesotho for this First Edition of *Recognition of Religion or Belief*.

Overview

- There exists widespread unstructure in the recognition system of Lesotho.
- There are no distinct procedures for the recognition of religious entities; there are no procedures for existential recognition, only legal registration which is open to secular entities as well.

Positive elements

- The government generally upholds freedom of religion or belief.

Recommendations

- To become Receptive, establish a recognition system that bestows sufficient provisions for both existential recognition and legal registration simultaneously.
- To become Dynamic, establish a recognition agency independent of government that acts to manage the established recognition system, to ensure its inclusivity, and to encourage the diversity of belief.

Restriction tools implemented

- Ambiguity exists in the legislation as to the government's stance on various aspects of religious life, including proselytism.
- Stipulatory registration.
- Unstructure exists.

History of RoRB classification

- Lesotho was classified Apathetic in the SRR in the first edition of the RoRB Index in 2021.
- However, for the 2022 RoRB Index, Lesotho has been reclassified upwards to Receptive.

Liberia, Republic of — Restrictive

RoRB and national identity

- The Constitution of Liberia makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice although with some infractions.
- The Republic of Liberia is a secular state.
- The government extends state privilege to Christianity and Christian groups over non-Christian groups.
- In 2015, a proposal to amend the constitution to establish Christianity as the official religion contributed to inter-religious tensions. Former president Sirleaf shelved the proposal, but discussion reemerged during the 2017 campaign. Since his election, President Weah has made efforts to reach out to the Muslim population.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Liberia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Liberia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Discriminatory-mandatory registration (broad application):** the government mandates that all religious groups register with it except for indigenous religious groups.

- **Procedure:** a registration application must be submitted to the Ministry of Foreign Affairs; the application primarily concerns the filing of the organisation's articles of incorporation. The Ministry of Finance and Development Planning issues proof of accreditation for the articles of incorporation. There is also an option of completing the same process at the Liberia Business Registry.
- **Legal designations:** there are two legal categories for religious groups in Liberia the local religious organisation and the foreign religious organisation.
- **Informational requirements:** articles of incorporation and the group's statements of purpose.
- **Registration fee system:** there a series of one-time and recurrent registration fees for the different legal categories.
 - **Local religious organisations:** a one-time fee of 7,500 Liberian dollars (\$52) (reduced from 10,500 Liberian dollars the previous year) and a recurrent annual fee of 3,500 Liberian dollars (\$24) to maintain the registered status to be paid annually.
 - **Foreign religious organisations:** a one-time fee of 96,000 Liberian dollars (\$670) (reduced from 105,000 Liberian dollars the previous year) and a recurrent fee of 78,000 Liberian dollars (\$540) (reduced from 84,000 Liberian dollars the previous year) to be paid annually.
 - **Both local and foreign religious organisations:** a one-time fee of 1,500 to 2,250 Liberian dollars (\$10-\$16) (reduced from between 1,800 to 2,700 Liberian dollars the previous year) for the notarisation of articles of incorporation and a further 1,500 Liberian dollars (\$10) (increased from 1,000 Liberian dollars the previous year) to receive a mandatory registered copy of the articles for use.
 - **Multiple charges:** some religious organisations report being charged registration fees for each of their individual locations throughout the country, as per a government regulation issued two years ago.
- **Registration benefits:** income tax exemptions and duty-free privileges on goods imported into the country; registered groups may be sued as a single entity separately from any lawsuits brought against individual owners.

- Evaluations
 - The imposition of a discriminatory-mandatory registration policy is impermissible to RoRB standards.
 - The imposition of many different registration fees to religious groups is impermissible; it is impermissible to discriminate between local and foreign BBOs by impose different fees upon them especially fees which exceed the threshold of \$100 and which exceed the reregistration fee threshold of no more than 50% of the original.
 - The involvement of two or more different government ministries in the registration procedures is also impermissible to RoRB standards due to the fact that this often causes onerousness in the procedures.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Liberia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieroncy**: the importation of religious materials or devotional items into Liberia is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Liberia's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Liberia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims:** the Muslim minority reports discrimination in government appointments.
- **Practitioners of witchcraft:** *human rights organisations continued to call upon the government to intervene in and investigate cases of persons injured or killed due to accusations of witchcraft via exorcisms and trials by ordeal.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration instead of existential recognition.
- A very high registration fee for foreign religious groups in comparison to the majority of other countries around the world.
- There exists unequal treatment of indigenous and foreign groups as the former are not obligated to register while the latter are; this unequal treatment emerges once more in the relatively high fee that is imposed onto foreign groups while indigenous groups have a much lower fee.
- The involvement of a multitude of governmental ministries in the registration process creates unnecessary hurdles that violate the Durham principles; this overt government involvement also demonstrates politicisation of the registration process.
- The rule of mandatory registration violates the Bielefeldt provision.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Establish distinct procedures for existential recognition and legal registration and at multiple levels of activity.

- Reduce financial requirements for registration to more appropriate prices in line with RoRB standards.
- To become dynamic, the government would need to establish a recognition agency to manage the religious recognition system and then relinquish its control over the agency in order to ensure its independence from government involvement.

Restriction tools implemented

- Inappropriately high registration fee is in effect for foreign groups.
- Mandatory registration for all religious groups, except indigenous groups.
- Politicisation of religion is widespread especially caused inter-religious conflict between Christians and Muslims.
- The multi-step process for registration creates unnecessary administrative hurdles.

History of RoRB classification

- Liberia has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Libya, State of — Terminal

RoRB and national identity

- The Constitution of Libya makes no claim to freedom of religion or belief.
- The Libyan interim Constitutional Declaration establishes Islam as the state religion though gives no specification as to a state denomination.
- Christians and Jews are recognised as religious minorities.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Libya.
 - Islam is the only religion to be granted existential recognition in Libya.
 - Christians and Jews are recognised as people groups but not their religions themselves.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Libya demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** there are no mechanisms outlined by the government for the registration of non-Islamic religious groups as all non-Islamic groups are prohibited in the country.
 - Role of the MEIA: *the Ministry of Endowments and Islamic Affairs (MEIA) administers mosques, supervises clerics, and*

has primary responsibility for ensuring all religious practices conform to state-approved Islamic norms.

- Evaluations
 - The policy of non-registration other than Islamic groups is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Religious conversion:** there is no law providing for individuals' right to choose or change their religion.
- Communal activity
 - **Hieronymy:** the importation of non-Islamic religious materials or devotional items into Libya is either prohibited or heavily restricted, both for personal but especially for propagational use as it remains illegal to proselytise Muslims.
 - According to the FedEx Cross Border global lists, “items offensive to Muslim culture” are prohibited from importation would could easily be interpreted as encompassing non-Islamic religious materials.
 - **Minority places of worship:** *the NGO Human Rights Without Frontiers International reported in July that the Union Church of Tripoli, a Christian denomination, faced possible eviction from the building it had been using for worship for approximately 50 years. Three other Protestant churches also used the building for services. The Union Church began renting the property from the government at the beginning of the 1970s after the government expropriated another property the Church had been using. The new building was on land the government had also expropriated. In 2020, the heirs of the original owner applied for the return of the property being used by the Union Church. Union Church representatives worried they might be evicted; they said the Church could not afford to buy a new*

building and cited the difficulty in finding a location where a church and its congregants would be accepted.

- **Proselytism, propagation and dissemination:** there is no law providing for individuals' right to study, discuss, or promulgate their religious beliefs.
 - **Online propagation:** *Christian rights advocacy group MEC reported that in May, the MEIA called on the General Authority for Communications and Information to close down and forbid several types of web pages, including those calling for "youth to follow other religions" or advocating "atheism and devil worship."*
- **Religious literature:** the criminal code prohibits the circulation of publications that aim to "change the fundamental principles of the constitution or the fundamental rules of the social structure," which are used to criminalise the circulation of non-Islamic religious materials and speech considered "offensive to Muslims."
- Penal code
 - **Blasphemy and criticism of religion:** it includes prohibitions against "instigating division" and insulting Islam or the Prophet Muhammad, charges that carry a maximum sentence of death.
 - **Religious conversion, proselytism and missionary activity:** there is no civil law explicitly prohibiting conversion from Islam to another religion or prohibiting proselytization; however, the criminal code effectively prohibits missionary activities or conversion.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Libya to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Minorities:** Christian and other minority communities have been attacked by armed groups, including local affiliates of the Islamic State (IS) militant group.
- **Sufi Muslims:** Salafi militants, who reject the veneration of saints, have destroyed or vandalised Sufi Muslim shrines with impunity.
- **Violent extremism:** in eastern Libya, hard-line Salafi Muslims aligned with Haftar's forces control Benghazi's mosques and religious programming.

Overview

- Islam is the state religion.
- Existential recognition is bestowed only to Islam; no other belief system has the opportunity to gain any semblance of existential recognition or legal registration from the Libyan state; this means that there are no legal protections for non-Muslims in Libya which is likely to be the cause of ongoing persecutions of not only Christians, but also Sufi Muslims.
- Essentially, all non-Islamic groups are not allowed to exist in the country.
- Government involvement in the internal affairs of even Islamic organisations is widespread.

Positive elements

- Nil.

Recommendations

- Dismantlement of the current apparatus for terminally restricting religious activity is essential before for improvements can be made to Libya's approach to religious freedom; dismantlement entails the fundamental reshaping of the government and whole society's approach to religion and belief in accepting one

fundamental principle, that human beings have the valid right to choose and change their belief identity, to have no none, or to be open to exploring different belief systems.

Restriction tools implemented

- Conversion to a religion other than Islam is illegal.
- Criminalisation of the importation and distribution of non-Islamic materials.
- Government involvement in the internal affairs of religious organisations.
- Proselytism of any belief system other than Islam is illegal.
- There exists no protections for citizens to express belief, religious, philosophical, spiritual or otherwise.
- The state interprets Islam in a particular way and ensures this interpretation is applied.
- The use of subjective language in the legislation gives broad scope for the Libyan government to terminally restrict all kinds of religious activity.

History of RoRB classification

- Libya has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Liechtenstein, Principality of — Receptive

RoRB and national identity

- The Constitution makes an explicit claim to freedom of religion or belief, a claim the government broadly upholds in practice.
- The Constitution declares Catholicism as the state denomination and the Catholic Church enjoys “the full protection of the state”.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than the Catholic Church in Liechtenstein.
- Evaluations
 - The lack of existential recognition in Liechtenstein for any denomination other than the Catholic Church is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious register with it in order to conduct what RoRB standards describe as “basic religious activities”.
 - **Procedure:** a letter of application must be written and thereafter submitted to the Office for Justice.
 - **Legal designation:** the primary legal designation in Liechtenstein for all religious groups except the Catholic Church is private association.
 - **Informational requirements:** the organisation’s name, purpose, board members, and head office location, as well as a memorandum of association based on local law, a

trademark certification, and a copy of the organisation's statutes.

- **Registration benefits:** registration in the commercial registry, government funding for religious education in schools or for project set out to support the social integration of religious minorities; tax-exempt status.
 - *The government has not indicated how it determines whether groups not registered in the commercial registry are religious groups entitled to the tax exemptions.*
- Evaluations
 - The imposition of a stipulatory registration policy is permissible to RoRB standards as long as no stipulations restrict "basic religious activities".
 - There is little distinction made between registered secular organisations and registered BBOs in the legal framework.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Liechtenstein as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** *to receive residency permits, foreign religious workers must have completed theological studies, command a basic level of German, belong to a "nationally known" religious group (the law does not define "nationally known"), and be sponsored by a resident clergy member of the same religious group.*
 - **Hierony:** the importation of religious materials or devotional items into Liechtenstein is permitted without restriction, both for personal and propagational use.

- **Religious education:** Catholic or Protestant education is mandatory in all primary schools, but exemptions are routinely granted. Islamic religious classes have been offered in some primary schools since 2008.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Liechtenstein’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Liechtenstein to investigate cases of human rights violation in the country.
 - **State funding:** *funding for religious institutions continued to derive mainly from the municipalities. Municipalities provided the Catholic and Protestant Reformed Churches annual subsidies in proportion to their membership. The MFA stated that municipalities allocated funding for specific purposes, such as paying the rent for places of worship, and it remained in regular contact with religious representatives regarding the funding. The Liechtenstein Institute noted that while taxes helped to finance Catholic and Protestant churches, Muslim associations did not receive any funding from the state or municipalities. The MFA noted that with the exception of the Catholic Church, religious communities are defined as private associations and may apply for state funding. According to the MFA, state support for Islamic religious communities is tied to the condition that the communities establish a joint umbrella organization. As no umbrella organization existed by year’s end, the three Muslim associations active in the country did not receive direct financial support from the government.*

Social dimensions of RoRB

- **Muslims:** Muslim groups have yet to obtain permission to establish a mosque or a dedicated Muslim cemetery; there is one

Islamic prayer room, and churches open their facilities for use by other faiths upon request.

Overview

- Catholicism is the state denomination.
- Ambiguity exists as to certain elements of the registration process.
- Partial recognition is in effect whereby no religious group is able to attain the same degree of recognition as the Catholic Church even if that group follows all procedures for registration.
- There aren't procedures for religious registration separate from the registration of secular entities as groups other than the Catholic Church may only register as private associations in the commercial registry, a registry of both secular and religious entities.
- The informational requirements for the registration process are in parts intrusive and others unnecessary.

Positive elements

- The government does broadly uphold freedom of religion or belief and the small society that Liechtenstein encompasses seem to accept diversity of religious belief and practice.

Recommendations

- Establish procedures for religious registration distinct from those established to register secular entities.
- Establish a recognition system that has the capacity to both existentially recognise and legally register religious entities at multiple levels of activity.
- To become dynamic, establish a recognition agency that is independent of government to manage the newly established recognition system and works to promote and sustain religious and belief freedom through spreading the message that diversity of belief identity is positive.

Restriction tools implemented

- Ambiguity exists in the legislation.
- Intrusive informational requirements are in effect.
- Partial recognition is in effect.
- State denomination (as a form of state religion).
- Stipulatory registration.
- Unstructure does exist which is commonplace for smaller territories.

History of RoRB classification

- Liechtenstein was originally classified Restrictive in the SRR the first edition of the RoRB Index in 2021.
- However, 2022 RoRB Index reclassifies Liechtenstein as Receptive in the SRR.

Lithuania, Republic of — Restrictive

RoRB and national identity

- The Constitution of Lithuania makes an explicit claim to freedom of religion or belief, a right the generally upholds in practice although with some infractions.
- The Republic of Lithuania is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - **Traditional religions:** nine traditional religious groups are recognised including Roman Catholic, Greek Catholic, Evangelical Lutheran, Evangelical Reformed, Russian Orthodox, Old Believer, Jewish, Sunni Muslim, and Karaite Jewish communities.
 - **Longevity quota:** at least 300 years presence in the country.
 - **Recognition benefits:** *may perform marriages that are state recognised, establish joint private/public schools, provide religious instruction in public schools, and receive annual government subsidies; their highest-ranking leaders are eligible to apply for diplomatic passports, and they may provide chaplains for the military, social care institutions, hospitals, and prisons. The state provides social security and healthcare insurance contributions for clergy, religious workers, and members of monastic orders of the traditional religious groups; traditional religious groups are also not required to pay social and health insurance taxes for clergy and most other religious workers and members of monastic orders. The nine traditional religious communities, and particularly the Roman Catholic Church, enjoy certain government benefits, including annual subsidies that are not granted to other groups. Each traditional religious group receives 3,075 euros (\$3,800) every year as a base fund, plus an additional amount that is calibrated according to the number of adherents in each community. The government*

allocates funds to traditional religious communities for refurbishing houses of prayer, restoring old cemeteries, and preserving cultural heritage sites.

- **Non-traditional religions:** the Evangelical Baptist Union of Lithuania, Seventh-day Adventist Church, Pentecostal Evangelical Belief Christian Union, and New Apostolic Church of Lithuania.
 - **Procedure:** non-traditional groups are expected to apply to the Ministry of Justice (MOJ); parliament votes on whether to grant state recognition status upon recommendation from the MOJ; if parliament votes against extending state recognition, a group must wait 10 years before reapplying.
 - **Longevity quota:** at least 25 years active in the country.
 - **Qualification:** must have already achieved legal entity status.
 - **Recognition benefits:** *recognition entitles nontraditional religious groups to perform marriages that will be recognised by the state, similar to marriages officiated by traditional religious groups, and to provide religious instruction in public schools. Recognition also grants nontraditional religious groups eligibility for annual subsidies from the state budget and for certain social security and healthcare contributions by the state.*

- Evaluations

- The imposition of longevity quotas onto belief systems and denominations is impermissible for RoRB standards.
- The weaponisation of terms “traditional” and “non-traditional” to imply belief systems or denominations as more legitimate than others is impermissible to RoRB standards.
- The order than groups denied registration must wait 10 years before reapplying is impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration

- **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct “basic religious activities” as outlined in RoRB standards.
- **Legal designations:** there are three designations for religious groups. It is suggested in legislation that non-traditional groups can only become “religious communities” and not associations or centres. It is also implied in the legislation that communities, associations and centres affiliated with a traditional religious group already already recognised receive legal entity status by default without need to undergo registration.
 - **Religious community:** the smallest of the three designations.
 - **Religious association:** a religious association is comprised by at least two religious communities under common leadership.
 - **Religious centre:** higher governing bodies of religious associations.
- **Procedure:** a religious group is required to submit an application form to the MOJ which handles religious registration in the country including with the application all the necessary supporting documentation. Once this application has been approved, a religious group may register with the State Enterprise Centre of Registers to obtain legal entity status. Having to register with two separate government entities creates a situation of dual registration however.
 - **Procedure for traditional communities:** if a traditional community does to undertake voluntary registration, it benefits from a simpler procedure than non-traditional groups.
 - **Informational requirements:** an application, decisions of their governing body on the appointment of their leader, and their headquarters address.
- **Informational requirements:** bylaws describing their religious teachings and governance, minutes of the founding meeting, and a list of the founders.
- **Membership quota:** at least 15 member citizens.
- **Registration fee system:** religious communities, associations and centres regarded as “traditional” by the

state do not need to pay a fee but those considered “non-traditional” must pay a registration of €32 (\$39).

- **Registration benefits:** opening a bank account, owning property, and acting in a legal or official capacity as a community. The law allows all registered religious groups to own property for use as prayer houses, homes, and other functions, and permits construction of facilities necessary for religious activities. All registered groups are eligible for public funds from municipalities for cultural and social projects.
- **Denial of registration:** the MOJ may refuse to register a religious group if full data are not included in the application, the activities of the group violate human rights or public order, or a group with the same name has already registered.
- **Registration rate:** according to data currently available from the Center of Registers, there are 1,121 traditional and 197 nontraditional religious communities, associations, and centres that are officially registered legal entities.
- **Unregistration:** unregistered communities have no legal status, but the constitution allows them to conduct worship services and seek new members.
- **Non-response and recommendations:** *an application for religious association status by the United Methodist Church of Lithuania, which the MOJ submitted to parliament with a favorable recommendation in 2001, remained pending. The MOJ again made no recommendation to parliament on a 2017 Jehovah’s Witnesses application for state-recognized religious association status.*

- Evaluations

- The imposition of a stipulatory registration policy is impermissible to RoRB standards as long as any stipulations made do not intervene with the free practice of “basic religious activities”.
- The relatively high registration rate is a positive sign to show that the registration procedures are not too onerous.
- However, the imposition of a membership quota and the involvement of multiple government departments in

registration procedures are both impermissible to RoRB standards.

- The imposition of a registration fee onto “non-traditional” religions and to exempt “traditional” religions from paying a registration fee is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Lithuania as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Lithuania is permitted without restriction, both for personal and propagational use.
 - According to the FedEx Cross Border global list, “political material” is listed as prohibited from importation in Lithuania.
 - **Restitution law:** *the Soviet Union nationalised all religious buildings on June 19, 1948, some of which religious groups continued to use after that date to serve religious communities. By law, registered religious communities had until 1997 to apply to the appropriate ministry or municipality for restitution or compensation of religious property they owned before June 19, 1948. The government continues to review cases from registered religious groups filed by the 1997 deadline but is not accepting any new claims. Religious groups may appeal ministry or municipality decisions in court. Unregistered religious groups could not apply for restitution. The law permits registered religious groups to register previously nationalised religious property that was not officially registered under their name but which they owned before 1948 and continued to use during the Soviet period. The deadline for registered religious groups to register such properties with the MOJ was 2014. The government continues to review cases from registered religious*

groups filed by the 2014 deadline but is not accepting any new claims. Religious groups may appeal the MOJ's decisions in court. For individuals, the country's private property restitution laws provided a mechanism through which the country's citizens who had received citizenship before the restitution deadline (December 31, 2001) and resided in the country had the right to submit a claim for private property restitution. The laws excluded those who either lacked citizenship or regained it after 2001.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Lithuania's penal code.
- Facilitation of religion or belief
 - **Investigative commission:** the Interministerial Commission to Coordinate Activities of Governmental Institutions that Deal with Issues of Religious, Esoteric, and Spiritual Groups coordinates investigations of religious groups if there is a concern a group's actions may be inconsistent with what the commission perceives to be "principles that stress respect for human freedom of expression and freedom of religion.
 - **Ombudsmanship:** the nearest equivalent to an ombudsperson is the Parliamentary Controller (Lithuanian: *Seimo kontrolierius*) but this is also a dedicated ombudsperson for children and youth affairs.
 - *The OEO ombudsperson received four complaints of discrimination based on religion and decided that all of them fell outside its jurisdiction. One of the complaints, a legal challenge to the requirement that clergy of non-recognised religions must pay compulsory health insurance tax, remained under consideration by a court at year's end. There were no court cases related to the other three complaints.*
 - **State funding:** *the government provided 1.59 million euros (\$1.80 million) to traditional religious groups to reconstruct religious buildings and to support other religious community*

activities. This amount was distributed to religious groups based on the number of adherents published by the Department of Statistics. Of this total, it granted 1.46 million euros (\$1.66million) to the Roman Catholic Church and 80,700 euros (\$91,500) to the Russian Orthodox community. The remaining 155,000 euros (\$176,000) was divided among the Old Believer, Evangelical Lutheran, Evangelical Reformed, Sunni Muslim, Jewish, Karaite Jewish, and Greek Catholic communities.

Social dimensions of RoRB

- **Muslims:** despite the presence of a Muslim community, Vilnius remained without a mosque in 2019.
- **Romuva community:** on June 8 2021, the ECHR ruled that the government had violated articles of the European Convention on Human Rights and Freedom of Thought, Conscience, Religion, and Non-Discrimination and the right to a fair trial when in 2019 the parliament did not approve the Romuva community's application for status as a state-recognized religious community, despite a positive conclusion from the MOJ. On September 7, the Constitutional Court ruled as unconstitutional the provision of law that states that if an application for recognition of a religious community is not approved, it may reapply but only after 10 years. Following the ruling, on September 30, the Romuva community resubmitted its application, and on October 8, the Parliamentary Human Rights Committee registered the application for consideration. At year's end, the application remained pending before the full parliament.

Overview

- Nine traditional religious groups are given existential recognition in the country based on a longevity quota; a myriad of benefits exist for members and leaders of these recognised traditional groups; the vertical recognition system is oriented on the concept of traditional religions and untraditional ones; there are currently no outlined procedures for becoming a traditional religion except for passing the 300 year longevity quota.

- Recognition and registration are differentiated however their powers abused; the former is only truly bestowed to the traditional religions while the former is offered to all non-traditional religions for them to gain some semblance of state recognition; registration is offered to organisations that are part of one of the traditional religions and discrimination exists within the system in favour of traditional groups.
- Recognition is being abused to discriminate against NRMs.
- Religious communities, religious associations, and religious centres form three legal levels for religious activity in Lithuania; groups that attain any of these recognition levels are still called non-traditional religions; the multi-step process of registration requires submitting documents to the MOJ as well as the State Enterprise Center of Registers.
- Parliament's involvement in an applicant's recognition process highlights its politicisation.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present restrictive recognition system involving the revocation of the restriction tools identified.

Restriction tools implemented

- A degree of ambiguity exists within the legislation regarding proselytism.
- Discrimination is commonplace within the recognition system against what the state perceives as non-traditional religions.
- Longevity quotas are in effect both for traditional religions and for new religions (300 years and 25 years respectively).
- Partial recognition is in effect.
- Politicisation of the registration process is apparent.
- State definition of traditional and non-traditional religion and belief.

- Stipulatory registration.
- Subjective language in the legislation gives the Interministerial Commission broad scope to disrecognise groups perhaps on baseless charges.
- The stipulation that a group denied recognition must wait 10 years before reapplying is highly restrictive.
- Vertical recognition is in effect.

History of RoRB classification

- Lithuania has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Luxembourg, Grand Duchy of — Apathetic

RoRB and national identity

- The Constitution of Luxembourg makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice.
- Although the Grand Duchy of Luxembourg is a secular state, the state does provide existential recognition and support to Catholic Church, Greek Orthodox Church, Russian Orthodox Church, Roman Orthodox Church, Serbian Orthodox Church, Anglican Church, some Protestant churches, and to the Jewish community.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** *the constitution provides for the regulation of relations between religious groups and the state, including the role of the state in appointing and dismissing religious clergy and the publication of documents by religious groups, through conventions between the state and individual religious groups. These conventions are subject to parliamentary review.*
 - *The government has formally approved conventions with six religious groups, which it supports financially with a fixed amount (adjusted yearly for inflation) partly based on the number of adherents each group reported having in 2016. The six groups are the Roman Catholic Church; Greek, Russian, Romanian, and Serbian Orthodox Churches as one community; Anglican Church; Reformed Protestant Church of Luxembourg and Protestant Church of Luxembourg as one community; Jewish community; and Muslim community.*
 - **Qualifications:** religious community must be a recognised world religion and establish an official and stable representative body with which the government can interact.
 - **Without convention:** groups without signed conventions, such as the New Apostolic Church, operate freely but do

not receive state funding. The Baha'is do not have a convention with the state, but the state advised the group in establishing a foundation that allows it to receive tax deductible donations.

- **Registration benefits:** *government funding levels for the six religious groups are specified in each convention and remain the same every year except for adjustments for inflation. The original funding levels established in 2016 were: 6.75 million euros (\$8.28 million) to the Catholic community; 450,000 euros (\$552,000) to the Protestant community; 450,000 euros (\$552,000) to the Muslim community; 315,000 euros (\$387,000) to the Jewish community; 285,000 euros (\$350,000) to the Orthodox community; and 125,000 euros (\$153,000) to the Anglican community. Under the law, clergy of recognised religious groups hired in 2016 or earlier continue to receive their salaries from the government and are grandfathered into the government-funded pension system. The law further provides for a transitional period in which the government either does not disburse funding under the convention should the total amount of salaries be above the funding level, disburses the difference should the total amount of salaries fall below the funding level, or disburses the entire funding level should the total amount of salaries equal zero. The pensions of grandfathered clergy are not taken into consideration in calculating the total amount of salaries.*
- **Monitorial requirements:** religious groups must submit their accounts and the report of an auditor to the government for review to verify they have spent government funds in accordance with laws and regulations. Under the conventions, government funding to a religious community may be cancelled if the government determines the religious community is not upholding any of the three mutually agreed principles of respect for human rights, national law, and public order.

- Evaluations

- Instituting procedures for bilateral cooperation agreements is welcomed as part of the facilitation of religion or belief however procedures for achieving such agreements need to

be made more inclusive so that new religious movements and minorities have the same opportunities to attain their own agreements.

- The qualification of a group as a “world religion” before it may receive access to establishing a bilateral cooperation agreement with the state is impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** there are no formal registration mechanisms prescribed the state although this non-registration is not regarded in RoRB standards to present nefarious intent due to the positive human rights record of the Grand Duchy of Luxembourg.
 - **Legal designation:** religious groups are free to operate under the form they wish, with many choosing to operate as nonprofit associations.
 - **Unregistered religious organisations:** *absent a procedure for recognizing their legal status as religious organizations, several religious groups continued to operate as nonprofit associations. The New Apostolic Church stated the government’s continued failure to create a legislative framework for formal recognition of religious groups discriminated against groups that did not have conventions with the government. The Church’s spokesperson, Clement Wampach, said that the government had not yet presented any proposals for comment.*
- Evaluations
 - The imposition of a non-registration policy by setting up now formal procedures for registration is impermissible to RoRB standards especially due to the lacking inclusivity of the procedures for existential recognition; although this lack of provisions for legal registration is not considered to possess nefarious intent, it does demonstrate an ongoing with RoRB conditions in Luxembourg.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Luxembourg as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Attendance and observance:** the constitution prohibits compulsory participation in or attendance at church services or observance of religious days of rest.
 - **Hieronymy:** the importation of religious materials or devotional items into Luxembourg is permitted without restriction, both for personal and propagational use.
 - **Marital law:** stipulates that a civil marriage ceremony must precede a religious marriage ceremony for the state to recognize it.
 - **Religious gatherings:** while the constitution provides for the right to assemble peacefully without prior authorization, it stipulates open-air religious or other meetings are subject to laws and police regulations.
 - **Religious instruction:** religious instruction in secondary and primary schools was phased out in 2016–17.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Luxembourg's penal code.
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Luxembourg to investigate cases of human rights violation in the country.
- **State funding:** *according to the latest information from the Ministry of State in charge of religious affairs, of the six religious groups with conventions with the government, the Muslim community received 450,000 euros (\$510,000) and the Anglican community received 125,000 euros (\$142,000) during the year. The Jewish, Catholic, Protestant, and Orthodox communities together received a total of 25 million euros (\$28.34 million). The government again provided 615,000 euros (\$697,000) to the Luxembourg School of Religion and Society (LSRS) to promote, among other objectives, research, education, and collaboration with religious groups that have signed agreements with the state. The government provided the funding annually to the LSRS between 2018 and 2021 as part of an agreement with the Catholic Church's major seminary.*

Social dimensions of RoRB

- **Christians:** the state has historically paid the salaries of clergy from a variety of Christian groups, but a 2016 law ended the practice for all clergy hired after that point although the government continued to provide some funding to six major recognised religious communities, including the Muslim community, based on their size.
- **Protestants:** *at year's end, the ECHR had not ruled on the Protestant Consistory's 2020 appeal of a 2020 Court of Cassation decision appointing an external administrator to organise and monitor general assemblies and elections within the consistory. The consistory is the leading institution for Protestant religious affairs and the community's official interlocutor with the government. The consistory argued to the ECHR that the decision infringed on the group's members' right to act in accordance with its own rules and interests as defined by Article 9 (freedom of thought, belief, and religion) and Article 11 (freedom of assembly and association) of the European Convention of Human Rights. The Court of Cassation's ruling stemmed from court challenges*

and appeals made between 2017 and 2019, based on internal consistory disagreements over its statutes, leadership, and the charring committee's management of consistory property and finances.

- **Muslims:** in 2018, the parliament adopted legislation that banned face coverings in schools, medical facilities, public buildings, public transport, and retirement homes. The law was widely understood to be aimed at Muslims, though the wearing of such garments is extremely rare in the country.

Overview

- Recognition and registration are differentiated with the former achieved through bilateral cooperation agreements and the latter through secular registration procedures, primarily as a non-profit organisation.
- Existential recognition is presently bestowed to the following denominations: Catholicism, Orthodox Christianity (including Greek, Russian, Romanian and Serbian branches), Anglicanism, Protestantism, Judaism, and Islam; the approval of conventions is the primary means of gaining existential recognition in the country; to become eligible, there is broad subjectivity in the legislation which essentially gives the government scope to decide irrespective of the group's inherent deservedness.
- There is broader politicisation of the relationship between the state and religious groups; bilateral cooperation agreements (or conventions) manage these relations; the state, however, should not involve itself in the internal affairs of religious organisations.
- Laws imposed on open-air religious gatherings is dubious in its authenticity.
- There is a lack of a recognition system specifically for groups based on belief.

Positive elements

- The state allocation of funding to support groups shows dynamic character but these allocations should not be used to politicise the process nor to discriminate.

Recommendations

- Dismantle the misuse of existential recognition to exclude non-recognised groups; revoke subjective legislation.
- Minor issues within the system persist that require resolutions.
- To become dynamic, the government would need to establish a recognition agency that would manage the recognition system and also take over the responsibility of funding groups; the government would need to relinquish its control over the recognition agency to ensure its independence.

Restriction tools implemented

- Ambiguity exists in the legislation that needs clarification.
- Funding for religious groups is welcomed, although this should not be used as a justification for government involvement in the internal affairs of religious organisations; annual reports of funding use are appropriate although these should ideally be submitted to an independent agency rather than the government.
- Politicisation of the recognition procedures.
- Secular procedures of legal registration should not be used to deal with religious entities.
- Stipulatory registration.
- Subjective language used in the legislation allows for the government to deny the eligibility of a group by using the subjective laws to do so.

History of RoRB classification

- Luxembourg was originally classified as Receptive in the first instalment of the RoRB Index in 2021.
- However, due to an ongoing policy of non-registration that does not constitute a procedure for the legal registration of BBOs distinct from secular organisations as well as an ongoing non-inclusive procedure for existential recognition in the Duchy, Luxembourg is reclassified as Apathetic in the RoRB Index for 2022.

Macao Special Administrative Region of the People's Republic of China — Receptive

RoRB and national identity

- The Basic Law of Macau makes a claim to freedom of religion or belief, a claim that is broadly upheld by the government in practice.
- As a Special Administrative Region of the People's Republic of China, Macau is a secular territory.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Macau.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Macau demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups are not mandated to register in order to conduct religious activities but registration does come with certain benefits through the bestowal of legal entity status.
 - **Registration benefits:** exemption from taxation (such as property tax, stamp duty, complementary tax [profit tax], and industrial tax) and financial assistance from the government.
 - **Registration procedure:** groups register with the Identification Bureau.

- **Informational requirements:** the name of an individual applicant and that person's position in the group, identification card number (**nationality quota**), and contact information, as well as the group's name and a copy of the group's charter.
 - **Charity registration as a secondary procedure:** religious groups need to be registered as a charity under a similar or different name (**nominal restriction**) in order to provide charitable services. Registered charities receive the same benefits as registered religious groups. – There is not enough distinction made in procedures for religious groups from those for secular organisations so that the government can sufficiently meet the needs particular to religious entities.
- Evaluations
 - The imposition of a stipulatory registration policy is permissible to RoRB standards as long as stipulations made do not inhibit the ability of any unregistered group to conduct what RoRB standards classify as “basic religious activities”.
 - The stated informational requirements as part of registration procedures are permissible to RoRB standards as long as they are not misused to exclude groups unfavoured by the government.
 - The existing a separate registration for BBOs as charities in order to conduct charitable services is impermissible to RoRB standards as it is stated that registration procedures for BBOs should remain distinct from those for secular organisations and BBOs should only need to register once in order to be covered for all of their activities, charitable or otherwise.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Macau as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Foreign religious activity:** religious groups may develop and maintain relations with religious groups abroad.
 - **Hieronymy:** the importation of religious materials or devotional items into Macau is permitted without restriction, both for personal and propagational use.
 - **Religious education:** the law guarantees religious organisations may run seminaries and schools, hospitals, and welfare institutions and provide other social services.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Macau's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Macau to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Macau for this First Edition of *Recognition of Religion or Belief*.

Overview

- With respect to Macau, the central government notified the UN Secretary-General, in part, that residents of Macau shall not be restricted in the rights and freedoms they are entitled to unless otherwise provided for by law, and in case of restrictions, the restrictions shall not contravene the ICCPR.
- Recognition and registration are amalgamated with a focus on the latter as legal registration; as a result, there is a lack of provisions for existential recognition in Macau.

- Informational requirements seem appropriate but require continued monitoring to ensure that they are not expanded further to restrict applicants.
- There is a separate procedure for the registration of religious groups from secular entities which is preferable.
- Increased politicisation of this process is expected as encroachments from the Mainland China government continue as is taking place in neighbouring Hong Kong.

Positive elements

- Freedom of religion or belief is broadly upheld by the government of Macau although encroachments from the CCP threaten this.
- Horizontal recognition is in effect.

Recommendations

- Establish a recognition system that is able to bestow both existential recognition and legal registration simultaneously and at various levels of activity.
- Revoke the imposed nationality quota, the nominal restriction policy and the secondary procedure within the registration process.
- To be classified Dynamic, establish a recognition agency that is independent of government to manage the recognition system.

Restriction tools implemented

- A degree of unstructure exists which has caused a lack of provisions for existential recognition of belief systems, denominations and communities.
- Ambiguity remains as to the degree of the CCP's influence and involvement in the management of religion in Macau as well as Macanese laws on proselytism.
- Stipulatory registration.

History of RoRB classification

- Macau has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Madagascar, Republic of — Restrictive

RoRB and national identity

- The Constitution of Madagascar makes an explicit claim to freedom of religion or belief, a claim the government generally upholds but sometimes infracts upon in practice.
- The Republic of Madagascar is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Madagascar.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Madagascar demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** religious groups are required to register with the Ministry of the Interior by law.
 - **Registration benefits:** legal entity status which allows for bequests and other kinds of donations to be received by the group. Tax-exemptions seem to be run on a case-by-case basis, exemptions which may also include customs relief. Another benefit of registration is the ability for religious

groups to acquire land¹⁷ for the construction of places of worship or other buildings for religious purpose.

- **Membership quota:** a group must have at least 100 citizen members and should have an elected administrative council of no more than 9 members, all of whom must also be Madagascan citizens.
- **Alternative procedure:** groups who do not meet the criteria for registration as religious groups can register as a “simple association.” Simple association category entities cannot perform religious services and their status allows them only to conduct community and social projects. Simple associations as a whole are not eligible for tax-exemption but they may apply on a case-by-case basis every time they receive a donation from abroad which may then be tax-exempted.
- **Foreign religious organisations (GFOs):** *if an association has foreign leadership and/or members of the board, it may form an association “reputed to be foreign.” An association is reputed to be foreign only if the leader or members of the board include foreign nationals. Such foreign associations may only attain temporary authorisations, subject to periodic renewal and other conditions. The law does not prohibit national associations from having foreign nationals as members.*
- **Deregistration:** groups found to be engaging in “dangerous” or “destabilising” activities will be disbanded and have their registrations revoked. This stipulation is very broad and therefore vulnerable to misuse by the state and nefarious intent is applicable in this case based on the recent history of FoRB conditions in Madagascar and the government’s failure to consistently uphold this human right.
- **Registration rate:** *religious groups stated the government did not always enforce registration requirements and did not deny requests for registration. All the large religious groups were registered. As of the end of 2020, (the most recent information available) the Ministry of Interior reported 383*

¹⁷ however, the law states landowners should first cede the land back to the state, after which the state will then transfer it to the religious group.

officially registered religious groups, compared with 373 at the end of 2019. The government acknowledged that some registered groups may have become inactive or dissolved without informing the government.

- Evaluations
 - The imposition of a mandatory registration order onto registrant religious groups is impermissible to RoRB standards.
 - The imposition of a membership quota of any kind is impermissible to RoRB standards.
 - The broad and subjective grounds on which a religious groups may deregistration means that such procedures may then be misused against groups the government does not favour.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Madagascar as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Broadcasting:** *state-run Malagasy National Television continued to provide free broadcasting to Seventh-day Adventists, Catholics, Lutherans, Anglicans, and Presbyterians on weekends, and to the Muslim community on Fridays. During Ramadan, it provided additional broadcast time to the Muslim community. Members of the Federation of Evangelical Churches received daily free airtime to broadcast religious services every morning on public radio and television.*
 - **Hieronymy:** the importation of religious materials or devotional items into Madagascar by registered religious groups is permitted without restriction, both for personal and

propagational. However, it remains unclear whether unregistered religious groups are prohibited or restricted from importing items.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Madagascar's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Madagascar to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Labour laws:** religious leaders have noted that some workers were unable to practice their religion due to poor enforcement of labor laws.
- **Muslims:** the government has historically restricted the Muslim community's access to education by threatening to close down Islamic schools.
 - *The leadership of the Muslim Malagasy Association again reported that some Muslims continued to encounter difficulty obtaining official documents, such as national identity cards and passports and services, from public administration offices because of their non-Malagasy-sounding names. The leaders again said that government officials harassed and mocked Muslims and considered them to be foreigners even when they possessed national identity cards. In one example, the Ministry of Commerce denied assistance to a Muslim entrepreneur with a halal certification who sought the ministry's support to combat counterfeit halal products and protect Muslim consumers. According to the Muslim leaders, instead of offering their assistance, the ministry's officials stated the Muslims were the wrongdoers and were committing the fraud themselves.*
 - *In June 2021, parliament voted to postpone consideration of an amendment to the 2017 nationality law that would provide as*

many as 15,000 Muslim residents citizenship in the country, according to one of the amendment's sponsors in 2020. Muslim leaders continued to state that the existing nationality law affected the Muslim community disproportionately, since it prevented descendants of immigrants, many of whom were Muslim, from acquiring citizenship, even after generations of residence in the country. The leaders said that Muslim children of ethnic Indian, Pakistani, and Comorian descent had the most difficulty obtaining citizenship. Members of the Muslim community continued to face challenges in the country because of their statelessness. Under the law, for example, only Malagasy citizens could own land or property. In addition, they faced difficulties with access to education, healthcare, and employment.

- According to leaders of different groups within the Muslim community, current and former political leaders interfered “excessively” in their internal affairs as they sought to capture Muslim political support. The Muslim leaders stated this political interference hindered resolution of an internal leadership dispute dating from 2016, which resulted in two different groups in the Muslim community, each with its own political party leader sponsor, establishing their own leadership boards and nominating their own candidates to lead the national Malagasy Muslim Association. The Ministry of Interior recognized both new boards officially in 2016, leaving two competing sets of Muslim leadership in place since then.

- **Christians:** several church facilities have been attacked by armed individuals, some apparently attempting robberies, in recent years.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration.
- There is a vertical recognition system in place that ranges from religious groups down to simple associations, the latter of which is the only option for groups that do not meet the “religious group” threshold; simply associations are not validated to hold

religious services which demonstrates government involvement that violates the Durham principles on religious freedom.

- The government should not discriminate between local religious organisations and those of foreign origins.
- The rule of mandatory registration violates the Bielefeldt provision.
- Ongoing discrimination of the Muslim community and violence directed at church facilities are signs that there is a lack of acceptance of the diversity of religious belief in the country which needs to be resolved through the use of recognition and more sophisticated levels of religious education.

Positive elements

- Nil.

Recommendations

- Establish provisions for existential recognition.
- Revoke existent restrictive policies in the recognition system and remove all forms of discrimination in registration process as well as all restriction tools identified.
- To be classified Dynamic, the government would need to establish a recognition agency to manage its recognition system; following its establishment and the appointment of a board of directors, the government would need to relinquish its involvement in the agency.

Restriction tools implemented

- Discrimination in the recognition system is directed particularly towards groups of foreign origin or groups whose leaders comprise at least one foreign national.
- Government involvement in the internal activities of religious organisations and the holding of religious services.
- Mandatory registration for all religious groups but alternative options are provided for groups that fail to register.
- Membership quotas are in effect.

- Reregistration for foreign groups is commonplace.
- The use of subjective language in the legislation gives the government broad scope to restrict genuine religious activity and the religious registration process.
- Vertical recognition is in effect.

History of RoRB classification

- Madagascar has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Malawi, Republic of — Restrictive

RoRB and national identity

- The Constitution of Malawi makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice but with some infractions.
- The Republic of Malawi is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Malawi.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Malawi demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not mandate religious groups register with it, the fact that registration is a necessary prerequisite for a religious group to rent property (a “basic religious activity) under its own name in the country makes the registration procedures in Malawi pseudo-mandatory. According to the government, registration does not constitute endorsement of religious beliefs, nor is it a prerequisite for religious activities.
 - **Informational requirements:** documentation detailing the structure and mission of their organisation.
 - **Registration fees:** a fee of 1,000 kwacha (\$1).

- **Procedure:** the government reviews the application for administrative compliance only.
- **Registration benefits:** ability to acquire land, rent property in its own name, and obtain utility services such as water and electricity.
- Evaluations
 - The imposition of a stipulatory registration policy is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Malawi as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** *foreign missionaries are required to have employment permits.*
 - **Hieronymy:** the law authorises religious groups, regardless of registration status, to import certain goods duty free. These include religious paraphernalia, vehicles used for worship-related purposes, and office equipment. In practice, however, the Ministry of Finance rarely grants duty exemptions to registered groups.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Malawi’s penal code.

- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Malawi to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Rastafarians:** *Rastafarians continued to object to laws making the use and possession of cannabis a criminal offence in the country, stating its use was a part of their religious doctrine.*
- **Muslims and Christians:** squabbles between Christians and Muslims occasionally flare up but are often peacefully resolved.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration; there exists few to no provisions established for existential recognition; any semblance of recognition can only be gained through tax-exempt status and registration as a legal entity; even the tax exemptions are inconsistently upheld in practice.
- Informational requirements for registration seem appropriate but require continued monitor to ensure their compliance with the Durham principles.
- Inter-religious conflict between Christians and Muslims should be able to be resolved through higher levels of recognition and more sophisticated provisions for religious education.

Positive elements

- Freedom of religion or belief generally upheld in practice.
- Horizontal recognition is in effect.

Recommendations

- Establish provisions for existential recognition and fix instances of unstructure within the present system.
- To be classified Dynamic, the government would need to establish a recognition agency to manage its recognition system; following its establishment and the appointment of a board of directors, the government would need to relinquish its involvement in the agency.

Restriction tools implemented

- Stipulatory registration.
- Unstructure exists throughout the system leading to a lack of provisions for existential recognition.

History of RoRB classification

- Malawi was classified Apathetic in the SRR in the first edition of the RoRB Index in 2021.
- However, the 2022 RoRB Index reclassifies Malawi as Restrictive.

Malaysia — Censorious

RoRB and national identity

- The Constitution of Malaysia makes a partial claim to freedom of religion or belief on the caveat that some aspects of religious freedom are subject to Islamic rather than secular principles; this claim is not upheld in practice, making this a false claim to FoRB.
- The Constitution of Malaysia establishes Sunni Islam as the state denomination.
- The powerful Malaysian Islamic Development Department (JAKIM) has played a central role in shaping and enforcing the practice of Islam in Malaysia, and state-level authorities perform their own enforcement functions.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Malaysia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Malaysia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** there is no legal requirement for non-Islamic groups to register but registration with the government is a prerequisite for receiving legal entity status.
 - **Registration benefits:** tax exemptions for donations.

- **Tax-exemption:** tax laws allow a tax exemption for registered religious groups for donations received and a tax deduction for individual donors. Donors giving zakat (tithes) to Muslim religious organisations receive a tax rebate. Donors to government-approved charitable organisations (including some non-Muslim religious groups) may receive a tax deduction on the contribution rather than a tax rebate.
 - **Legal designation:** religious groups are classified as nonprofit charitable organisations.
 - **Procedure:** the Registrar of Societies (ROS) deals with the registration of religious groups in Malaysia.
 - **Informational requirements:** paperwork showing the organisation’s leadership, purpose, and rules.
 - **Registration fee:** an undisclosed fee.
 - **Monitorial requirements:** these organisations are legally required to submit annual reports to the ROS to remain registered. The ROS may inspect registered organisations and investigate those suspect of being used for purposes “prejudicial to public peace, welfare, good order, or morality.”
- Evaluations
 - The imposition of a stipulatory registration policy is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.
 - The imposition of monitorial requirements is permissible to RoRB standards as long as they are not misused against groups that are unfavoured by the government.

Law and policy on religion and belief

- Self-identification
 - **National identity documentation:** *in November, the High Court set March 2022 as the date for judicial review of Buddhist*

Ong Seng Teng's 2020 complaint over the National Registration Department's (NRD) refusal to issue a birth certificate for his son, born in November 2019. The NRD cited the refusal as a religious issue because Ong's wife (the boy's mother) was born Muslim, and sharia courts had never granted her 2016 application to leave Islam and convert to Buddhism. The NRD denied the family's request to list the boy's religion as "Buddhist" on his birth certificate because the mother's religious status mandates the child be registered as a Muslim.

- **Religious expression:** practicing a version of Islam other than Sunni Islam is prohibited, and Shiites and other sects face discrimination.
- Communal activity
 - **Buildings used for religious purposes:** state governments have exclusive authority over allocation of land for, and the construction of, all places of worship as well as land allocation for all cemeteries. All Islamic houses of worship – including mosques and prayer rooms – fall under the authority of JAKIM and corresponding state Islamic departments; officials at these departments must give permission for the construction of any mosque or prayer rooms.
 - **Censorship of Islam:** *officials at the federal and state levels continued to oversee Islamic religious activities, distribute all sermon texts for mosques to follow, use mosques to convey political messages, and limit public expression of religion deemed contrary to Sunni Islam.*
 - *Federal and state governments continued to forbid religious assembly and worship for groups considered to be “deviant” Muslim groups, including Shia, Ahmadiyya, and al-Arqam. While Ahmadi Muslims in the country reported being able to maintain a worship center, government religious authorities did not allow them to hold Friday prayers, as these could only be performed in an officially registered mosque.*
 - *In January 2021, the Federal Court allowed the Selangor Islamic Religious Council to intervene in a hearing in which*

the NGO Sisters in Islam (SIS) asked the court to invalidate a Selangor State law that enabled sharia courts to review decisions made by state religious authorities. In October, the court postponed a decision on the case. In 2019, the High Court dismissed the NGO's application to a civil court requesting review of a 2014 Selangor State fatwa that found the organization to be "deviant." SIS stated in the application that the fatwa infringed upon the constitutional rights of SIS and its members. The fatwa said SIS deviated from the teachings of Islam because the group subscribed to the principles of liberalism and religious pluralism. The fatwa did not define "liberalism" or "pluralism." The fatwa also ruled the NGO's books and materials could be seized. At year's end, no action had been taken against SIS, which continued to function nationally.

- **Hierarcy:** the importation of non-Islamic religious materials or devotional items into Malaysia is restricted, especially for propagational use due to the criminalisation of proselytising to Muslims.
- **Non-Islamic places of worship:** *non-Muslim groups continued to report regular difficulties in obtaining permission from local authorities to build new places of worship, leading many groups to use buildings zoned for residential or commercial use for their religious services.*
- **Proselytism and propagation:** the law forbids proselytising of Muslims by non-Muslims. The law allows and supports Muslims proselytising without restriction.
 - *In March 2021, Deputy Religious Affairs Minister Ahmad Marzuk Shaary said state governments had been directed to take steps to ensure that religions other than Islam would be further limited in propagating their beliefs to Muslims. The Deputy Minister in the Prime Minister's Department further posted on his official Facebook account that the constitution already empowered states and the federal territories to amend their laws to control and curb the propagation of non-Muslim religions. His post stated, "This power is derived from Article 11(4) of the Constitution, which stipulates that everyone has*

the right to worship and practice their faith as they see fit but may not propagate or influence others into practicing their religion.” He also stated the government would request states that already had legislation to control the propagation of non-Islamic religions to Muslims in place to further enhance their enforcement activities.

- *In September 2021, Deputy Religious Affairs Minister Marzuk announced his intention to introduce legislation to “control and restrict the development of non-Muslim religions.” In response, Hindu organizations reiterated that the constitution does not give the government the right to legislate any form of control or impose any restrictions on the beliefs and practice of non-Muslims and that the proposal was also against “Keluarga Malaysia” (the “Malaysia Family” concept promoted by Prime Minister Ismail Sabri Yaakob). The president of the Federation of Taoist Associations of Malaysia described Marzuk as “totally unfit to be a deputy in charge of religious affairs in a multiracial country.” Law Minister Wan Junaidi Tuanku Jaafar said religious matters were under the jurisdiction of the respective states and if the federal government adopted this type of legislation, “It won’t be legally binding.” The Malaysian Consultative Council of Buddhism, Christianity, Hinduism, Sikhism and Taoism (MCCBCHST) welcomed the Law Minister’s assurance.*

- **Religious conversion:** Muslims who seek to convert to another religion must first obtain approval from a sharia court to declare themselves “apostates.” Sharia courts seldom grant such requests, especially for those born Muslim and ethnic Malays, and are reluctant to allow conversion for those who had previously converted to Islam.
- **Religious education and instruction:** Muslim children and civil servants are required to receive religious education using government-approved curriculums and instructors.
- **Religious literature:** *the government continued to ban books for promoting Shia beliefs, mysticism, and other beliefs the government determined “clearly deviated from the true teachings of Islam.”*

- **Religious prohibitions:** *criminal cases remained pending against Abdul Kahar Ahmad and 16 followers for spreading the teachings of a “deviant sect” that had been banned in 1991. In September 2020, JAIS arrested Kahar and 16 followers, although it subsequently released Kahar and three of them on bail, while the other 13 remained in custody. Media reported Abdul Kahar “declared his repentance.”*
- Penal code
 - **Apostasy laws:** *penalties for apostasy vary by state. In the states of Perak, Melaka, Sabah, and Pahang, apostasy is a criminal offence punishable by a fine or jail term. In Pahang, up to six strokes of the cane may also be imposed. The maximum penalty for apostasy in the states of Kelantan and Terengganu is death, but this penalty has never been imposed, and its legal status remains untested. According to former Islamic Affairs Minister Jamil Khir, from 2000 to 2010, the sharia court approved 135 of 686 applications to no longer identify as a Muslim. NGOs report that most converts from Islam prefer to do so privately, without legal approval. Nationally, civil courts generally cede authority to sharia courts in cases concerning conversion from Islam. In some states, sharia courts allow one parent to convert children to Islam without the consent of the second parent. The law does not restrict the rights of non-Muslims to change their religious beliefs and affiliation.*
 - **Citizenship law:** ethnic Malays are constitutionally defined as Muslim and are not entitled to renounce their faith meaning that Malaysia is one of only a few countries that practices a policy of religion by default.
 - **Proselytism and propagation of non-Islamic religions:** *punishments vary from state to state, including imprisonment and caning.*
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Malaysia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Ahmadi Muslims:** *in January 2021, the High Court said it would decide in March whether 39 Ahmadi Muslims should be considered Muslim following an appeal by the Religious Affairs Department (JAIS) against a 2018 High Court decision stating that the sharia court had no jurisdiction over the Ahmadi community, since JAIS refused to recognize them as adherents of Islam. The High Court did not announce a decision in March and there were no follow-up reports by year's end.*
- **Shia Muslims:** *more than 30 people were arrested for practicing Shia Islam in the states of Selangor and Johor during 2019.*
- **Non-Muslims:** *non-Muslims are not able to build houses of worship as easily as Muslims, and the state retains the right to demolish unregistered religious statues and houses of worship.*
- **Hindus:** *in 2018, a dispute over the relocation of a Hindu temple triggered rioting, with assailants allegedly linked to a property developer storming the temple and beating worshippers.*

Overview

- The state religion is Islam.
- Partial recognition is in effect.
- Recognition and registration are differentiated with the former restricted only to Islam while the latter is available to both Islamic and non-Islamic organisations.
- Proselytism is allowed and supported by the state for Muslims but for non-Muslims, it is criminalised.
- The government's control and allocation of places of worship is classed as state involvement in the internal affairs of religious organisations.

- The legal requirement to submit annual reports to remain registered is censorious if those reports are used unfairly to deregister a religious group.
- Converts to a religion other than Islam should not be subject to forced declaration of themselves as apostates in order to succeed in their conversion; this is a severe violation of international human rights standards on freedom of religion or belief; additionally, clerics of one religion should not have the authority to stop a person from converting to another religion; retributions for apostasy vary from state to state ranging from caning, fines, to imprisonment.

Positive elements

- Nil.

Recommendations

- Dismantlement of the powers of the JAKIM to control the practice of Islam in the country is paramount; this should be combined with a dismantlement of the present censorious apparatus of legislation and procedures restricting religious activity and the process of registration.

Restriction tools implemented

- Conversions laws are highly censorious and violate international human rights law; converts should not need to register and declare themselves apostates in order to change their religion.
- Dormant law exists that imposes capital punishment for apostasy from Islam.
- False claim of freedom of religion or belief.
- Government involvement in the internal organisations violates the Durham principles.
- Religion by default to Islam for ethnic Malays.
- Partial recognition is in effect.
- Proselytism to Muslims is criminalised with retributions including imprisonment and caning.

- Retributions from conversion to a religion other than Islam include caning, fines and imprisonment.
- State definition and interpretation of Islam is in effect.
- Stipulatory registration.
- Subjective language used in the legislation gives broad scope for the government to restrict religious activity or to deregister a religious group at its discretion even if baseless charges are used to justify deregistration.

History of RoRB classification

- Malaysia has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Maldives, Republic of — Terminal

RoRB and national identity

- The Constitution of Maldives makes no claim to freedom of religion or belief.
- The 2008 Constitution establishes Sunni Islam as the state denomination.
- The Constitution of the Maldives also states that non-Muslims may not obtain citizenship (meaning the Maldives is one of a few countries that practices a policy of religion by default).

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Sunni Islam in the Maldives.
- Evaluations
 - The lack of existential recognition in the Maldives for any denomination other than Sunni islam is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** as no other religions are able to exist legally in the Maldives other than Islam, this in effect creates a situation of non-registration whereby no procedures legal registration of non-Islamic religions are offered.
 - **Operating licence:** the Ministry of Islamic Affairs (MIA) must dispense a person a licence before they can deliver sermons or explain religious principle publicly, this includes imams who cannot prepare Friday sermons without authorization.

- **Licence obtainment:** to obtain a license to preach, the law specifies an individual must be a Sunni Muslim, have a degree in religious studies from a university recognised by the government, and not have been convicted of a crime in sharia court. Imams must use government-approved sermons.
- Evaluations
 - The imposition of a non-registration policy is impermissible to RoRB standards.
 - For an imam to have to obtain a licence to preach or for a BBO to have to obtain an operating licence is impermissible to RoRB standards.

Law and policy on religion and belief

Orientation of law: the constitution states citizens are free to engage in activities “not expressly prohibited” by sharia, but it stipulates the Majlis (the country’s legislative body) may pass laws limiting rights and freedoms “to protect and maintain the tenets of Islam.” In deciding whether a limitation on a right or freedom is constitutional, the constitution states a court must consider the extent to which the right or freedom “must be limited” to protect Islam.

- Self-identification
 - **Self-expression:** the law states, “Non-Muslims living in or visiting the country are prohibited from openly expressing their religious beliefs, holding public congregations to conduct religious activities, or involving Maldivians in such activities.”
 - **Foreign religiosity:** non-Muslim foreigners are allowed to observe their religions only in private.
 - *The law states, “Non-Muslims living in or visiting the country are prohibited from openly expressing their religious beliefs, holding public congregations to conduct religious activities, or involving Maldivians in such activities.” By law, those expressing religious beliefs other than Islam face*

imprisonment of up to five years or house arrest, fines ranging from 5,000 to 20,000 rufiyaa (\$320-\$1,300), and deportation.

- Communal activity
 - **Censorship of Islam:** *the MIA continued to maintain control over all matters related to religion and religious belief, including requiring imams to use government-approved sermons in Friday services. The government maintained its ownership and control of all mosques, including their maintenance and funding. The government continued to permit private donors to fund mosques as well.*
 - **Hierony:** *the law prohibits importation of any items the MIA deems contrary to Islam, including religious literature, religious statues, alcohol, pork products, and pornographic materials. Penalties for contravention of the law range from three months' to three years' imprisonment. It is against the law to offer alcohol to a citizen, although government regulations permit the sale of alcoholic beverages to foreigners on resort islands. Individuals must request permission to import restricted goods from the Ministry of Economic Development.*
 - *The law prohibits importation of any items the MIA deems contrary to Islam, including religious literature, religious statues, alcohol, pork products, and pornographic materials. Penalties for contravention of the law range from three months' to three years' imprisonment. It is against the law to offer alcohol to a citizen, although government regulations permit the sale of alcoholic beverages to foreigners on resort islands. Individuals must request permission from the Ministry of Economic Development to import restricted goods*
 - *Customs authorities said the MIA continued to permit the importation of religious literature, such as Bibles, for personal use. The MIA also continued to allow some religious literature to be imported for scholarly research. In a July 6 2021 statement, the Maldives Customs Service announced it was launching a joint investigation with MPS into Christian literature, published in the local Dhivehi language, being*

mailed to institutions, companies, and individuals based in the country. In December, customs reported it was unable to verify the origin of these items, and police reported the investigation closed. Customs officials reported two cases involving the import of non-Islamic religious idols and religious banners during the year. Authorities confiscated the items in one case and were continuing to investigate the other case as of year's end.

- **Online dissemination of religions:** *the Communications Authority of Maldives (CAM) continued to maintain an unpublished blacklist of websites containing material it deemed un-Islamic or anti-Islamic. CAM did not proactively monitor internet content but instead relied on requests from ministries and other government agencies to block websites violating laws against criticism or defamation of Islam. MPS reported continuing investigations launched in 2020 against three websites for publishing un-Islamic content or content that violated Islamic tenets. During the year, MPS initiated two investigations involving individual "criticism of Islam in the form of hate speech." All investigations remained ongoing at year's end.*
 - *In November 2021, the Criminal Court ordered all local internet service providers to block access to websites, social media pages, YouTube channels, and online applications that targeted Maldivians "with the intention of spreading religions other than Islam." The order was issued at the request of MPS following reports that Christian advertising in the local Dhivehi language directed at children had appeared on Facebook, YouTube, and some gaming apps. Access to those websites and social media platforms had not been blocked as of the end of the year.*
- **Places of worship:** mosques and prayer houses are under the control of the MIA. The law prohibits the establishment of places of worship for non-Islamic religious groups.

- Penal code

- **Citizenship law:** conversion away from Islam will lose you your Maldivian citizenship.
- **Expression of non-Islamic belief:** those expressing religious beliefs other than Islam face imprisonment of up to five years or house arrest, fines ranging from 5,000 to 20,000 rufiyaa (\$320 to \$1,300), and deportation.
- **Propagation:** propagation (as well as dissemination) of any religion other than Islam is a criminal offence, punishable by two to five years in prison or house arrest. If the offender is a foreigner, authorities may revoke the individual's license to preach in the country and deport the individual.
- **Proselytism:** proselytising to change denominations within Islam is also illegal and carries the same penalty. If the offender is a foreigner, authorities may revoke the individual's license to preach in the country and deport the individual.
- **Religious conversion:** *the law prohibits the conversion of a Muslim to another religion. By law, a violation may result in the loss of the convert's citizenship, although a judge may impose a harsher punishment per sharia jurisprudence. Although the law does not stipulate such punishment, sharia jurisprudence is often understood by the public and religious scholars to provide for the death penalty in cases of conversion from Islam (i.e., apostasy), but the government has made no such statement.*
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Malaysia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Descent from Islam:** *in recent years, growing religious extremism, stoked in part by the Yameen administration, has led to an increase in threatening rhetoric and physical attacks against those perceived*

to be insulting or rejecting Islam. Secularist writers and defenders of freedom of conscience have faced pressure from the authorities as well as death threats. Mohamed Rusthum Mujuthaba, who was arrested on blasphemy allegations in September 2019 over social media comments, remained imprisoned throughout 2020.

Overview

- Sunni Islam is the state denomination.
- There exists no recognition system in the country; essentially, there is no opportunity for any non-Sunni groups to exist in Maldives; there are no procedures for either existential recognition or legal registration for any non-Islamic group but even non-Sunni Muslim groups face severe restrictions.
- Preaching without state authorisation is illegal and there are specific requirements that a preacher must fulfil before they are given government authorisation.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present recognition system must take place in order to resume any semblance of religious freedom in the country; this would involve the revocation of all legislation restricting religious activity and the disestablishment of Sunni Islam as the state religion if freedom of religion or belief according to international law is not securable without intervention from sharia law.
- A new recognition system should be established in order to ensure the provision of both existential recognition and legal registration for all belief systems and across all levels of activity.

Restriction tools implemented

- Being Muslim is contingent on receiving Maldivian citizenship; an example of the abuse of citizenship as a means to control religious activity.
- Conversion laws in the Maldives are some of the harshest in the world; capital punishment is in effect under sharia law.
- Government involvement in the religious lives of citizens is one of the highest rates in the world; the state control nearly all aspects of religion and belief.
- Expression of non-Islamic belief in any format is criminalised.
- Importation of any item contrary to Islam is strictly prohibited.
- Prohibition of non-Islamic places of worship is in effect.
- Proselytism of any religion other than Sunni Islam is illegal; retributions include imprisonment and house arrest, or deportation for foreigners.
- Religion by default specifically Islam by default.
- State definition and interpretation of Islam.
- State denomination (as a form of state religion).

History of RoRB classification

- Maldives has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Mali, Republic of — Restrictive

RoRB and national identity

- The Constitution of Mali makes an explicit claim to freedom of religion or belief, a right the government generally upholds in practice although increased rates of domestic terrorism in recent years have undermined citizens' freedoms to observe their religion or belief.
- The Republic of Mali is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Mali.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Mali demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Quasi-mandatory registration:** although the law states that all public associations, including all religious groups, except for groups practicing indigenous beliefs (such as animism), must register with the government, no penalties are prescribed for unregistration.
 - **Legal designation:** religious groups are classified as public associations in Mali.
 - **Registration benefits:** there are no tax or other legal or financial benefits which makes Mali part of a handful of countries practicing a policy of non-beneficial registration.

- **Informational requirements:** copies of a declaration of intent to create an association, notarised copies of bylaws, copies of policies and regulations, notarised copies of a report of the first meeting of the association's general assembly, and lists of the leaders of the association, with signature samples of three of the leaders. Upon review, if approved, the Ministry of Territorial Administration grants the certificate of registration.
- **Amendments to registration law:** *the transition government proposed a draft law on religious freedom and the exercise of worship. The draft law was adopted by the Council of Ministers on December 15, and the request for full adoption and implementation of the law was pending with the transition government at the end of the year. Once fully implemented, it would streamline the process of registering religious associations with the MARCC directly, rather than through the MATD.*
- Evaluations
 - The imposition of a quasi-mandatory registration policy is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Mali as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Mali is permitted without restriction, both for personal and propagational use. It remains unclear, however, how free unregistered religious groups are to import their literature and religious items.
- Penal code

- There is nothing of particular concern to RoRB standards in the present version of Mali's penal code.
- Facilitation of religion or belief
 - **Dedicated ministry:** *the MARCC is responsible for administering the national strategy for countering violent extremism, promoting religious tolerance, and coordinating national religious activities such as pilgrimages and religious holidays for followers of all religions.*
 - **Ombudsmanship:** there is currently no ombudsman office established in Mali to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Islamism:** the 2012 Islamist uprising shattered the image of Mali as a religiously tolerant country. Armed extremist groups have terrorised northern and central Mali, and have attacked those whom they perceive as failing to follow their strict interpretation of Islam.
- **Christians:** they have occasionally carried out targeted kidnappings of Christians and subjected them to sometimes violent harassment. In 2017, several Christian churches in central Mali were attacked by alleged Islamist gunmen.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; there is a focus on the latter as legal registration but few to no procedures for existential recognition; legal registration corresponds to registration of a group as an association.
- Discrimination between “foreign” and indigenous religious beliefs should not be allowed.

- Informational requirements seem appropriate but require continued monitoring to ensure they are not inappropriately extended.
- No tax-exempt status or other financial or legal benefits for religious groups exist.
- The existence of the rule of mandatory registration, even though there are no penalties for not registering, violates the Bielefeldt provision.

Positive elements

- Freedom of religion or belief is generally upheld by the government although this is undermined by Islamist activities among the population, especially in rural regions.

Recommendations

- Establish a recognition system that possesses provisions for both existential recognition and legal registration for all belief systems and at multiple levels of activity; revoke signature quota and non-beneficial registration policy.
- To become Dynamic, the Malian government would need to establish a recognition agency to manage the aforementioned recognition system but should relinquish its control of such an agency upon its establishment in order to ensure the agency's independence from government.

Restriction tools implemented

- Ambiguity in the legislation remains on issues of proselytism and other aspects of religious activity, both by laypersons and the clergy.
- Discrimination in the system exists against all non-indigenous beliefs.
- Mandatory registration for all religious groups except those with indigenous beliefs.
- Unstructure exists in the system which has likely been the cause of the rise of Islamist sentiment among rural populations.

History of RoRB classification

- Mali has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Malta, Republic of — Restrictive

RoRB and national identity

- The Constitution of Malta makes an explicit claim to freedom of religion or belief, a right the government generally upholds in practice but with some infractions.
- The Constitution of Malta establishes Catholicism as the state denomination.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Malta.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Malta demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it.
 - **Legal designation:** the legal designation for religious groups in Malta is voluntary organisation.
 - **Registration benefits:** registered groups can engage in “public collections”¹⁸ but no tax deductions or exemptions

¹⁸ registration is not required for collections from members or congregants.

are available. Further benefits include eligibility¹⁹ to receive grants, sponsorships, and financial aid from the government and the Voluntary Organisations Fund²⁰, an entity financed through the government and the European Union. In all other respects, groups that do not register as voluntary organisations have the same legal rights as registered groups.

- **Procedure:** religious groups need to submit their registration application to the Office of the Commissioner for Voluntary Organisations.
 - **Qualifications:** the application organisation must be nonprofit, autonomous, and voluntary.
 - **Informational requirements:** a resolution letter signed by all its committee or board members requesting registration; provide its authenticated annual accounts and an annual report.
 - **Registration fee:** 40 euro (\$49).
 - **Buildings for religious purpose:** all registered and unregistered religious groups may own property, including buildings. However, groups using property for a particular purpose, including religious worship, must obtain a permit for that purpose from the Planning Authority.
 - **Non-response:** *the government again failed to act on Russian Orthodox Parish of St. Paul the Apostle's application, pending since 2017, to build a church.*
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- Evaluations
 - The imposition of a stipulatory registration policy is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and

¹⁹ religious groups not registered as voluntary organisations with the Office of the Commissioner for Voluntary Organisations do not receive funding from the government or the Voluntary Organisations Fund and must obtain approval from the commissioner of police to carry out public collections.

²⁰ the Minister of Education appoints the governing council of the fund, which includes members from voluntary organisations and a government representative.

legal conduct of a certain activity that is classified as “basic” in RoRB standards.

- The imposition of a registration fee under the threshold of \$100 is permissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Malta as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Malta is permitted without restriction, both for personal and propagational use.
 - **Religious functions**: all religious groups, registered or unregistered, may organise and run private religious schools, and their clergy may perform legally recognised marriages and other religious functions.
- Penal code
 - **Workplace discrimination**: the Maltese parliament considered an equality bill that, among other provisions, would prohibit workplace discrimination based on several characteristics, including religious identity. Catholic schools, parents’ associations, and bishops objected to the bill, warning it would limit their ability to hire educators. While Justice Minister Edward Zammit Lewis narrowed the bill’s scope in December 2020, removing a clause that would have allowed the bill to supersede other laws, it remained under consideration at year’s end.
- Facilitation of religion or belief

- **Decriminalisation:** a 2016 legal reform decriminalised the vilification of religion, and blasphemy, and banned the incitement of religious hatred.
- **Ombudsmanship:** the Commissioner for Administrative Investigations acts as the ombudsperson for Malta.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Malta for this First Edition of *Recognition of Religion or Belief*.

Overview

- Catholicism is the state denomination of Malta.
- Existential recognition is only bestowed to the Catholic Church; recognition and registration are therefore differentiated although the latter is the only means of recognition for non-Catholic groups; this highlights how partial recognition is in effect.
- Informational requirements by the state for the registration process seem appropriate although require continued monitoring to ensure they are not unjustly expanded and are not misused against applicant groups.

Positive elements

- Freedom of religion or belief is generally upheld by the government.

Recommendations

- Establish distinct provisions for existential recognition in the country and multi-level recognition is advisable.
- To become Dynamic, the Maltese government would need to establish a recognition agency to manage the aforementioned recognition system but should relinquish its control of such an agency upon its establishment in order to ensure the agency's independence from government.

- Existential recognition provided to all belief systems and at multiple levels along with fixing some of the minor issues in the present system identified herein should see Malta ascend to dynamic classification.

Restriction tools implemented

- Partial recognition is in effect.
- Public collection of donations must be authorised if conducted by an unregistered religious group.
- State denomination (as a form of state religion).
- Stipulatory registration.

History of RoRB classification

- Malta was classified Receptive in the SRR in the first edition of the RoRB Index in 2021.
- However, in the 2022 RoRB Index, Malta was reclassified Restrictive.

Marshall Islands, Republic of the — Apathetic

RoRB and national identity

- The Constitution of the Marshall Islands makes an explicit claim to freedom of religion or belief, a claim that is generally upheld by the government in practice.
- The Republic of the Marshall Islands is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in the Marshall Islands.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in the Marshall Islands demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups need only register with the government to receive tax exemption; in other words, there is no law requiring religious groups to register.
 - **Legal designation:** religious groups are designated nonprofit corporations or cooperatives when they register with the government.

- **Registration benefits:** tax exemptions for income²¹ and hieroncy²².
- Evaluations
 - The imposition of a stipulatory registration policy is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in the Marshall Islands as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieroncy:** the importation of religious materials or devotional items into the Marshall Islands is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of the Marshall Islands’ penal code.
- Facilitation of religion or belief

²¹ the law states the tax on gross revenue shall not be applied to “corporations, associations, or societies organised and operated exclusively for religious, charitable, scientific, or educational purposes.”

²² in addition, the goods imported into the country by “churches for their own religious, educational, or charitable purposes” are exempt from import duty.

- **Ombudsmanship:** there is currently no ombudsman office established in the Marshall Islands to investigate cases of human rights violation in the country.
- **State funding:** *the constitution allows the government to extend financial aid to religiously supported institutions to provide nonprofit educational, medical, or social services, on the condition that such services do not discriminate among religious groups.*

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in the Marshall Islands for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; there are no state procedures for existential recognition, only for legal registration.
- Tax-exemption is the primary means of gaining any semblance of recognition in the country.

Positive elements

- Freedom of religion or belief is generally upheld by the government.

Recommendations

- Establish provisions for existential recognition distinct from that of legal registration in order to become receptive.
- In order to become Dynamic, the Marshallese government would need to establish a recognition agency to manage the aforementioned recognition system but should relinquish its

control of such an agency upon its establishment in order to ensure the agency's independence from government.

Restriction tools implemented

- Ambiguity remains as to conversion, proselytism, and other aspects of religious activity.
- Stipulatory registration.
- Unstructure exists in the system which has caused a lack of provisions for existential recognition.

History of RoRB classification

- The Marshall Islands has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Mauritania, Islamic Republic of — Terminal

RoRB and national identity

- The Constitution of Mauritania makes no claim to freedom of religion or belief, placing it into a small group of states classified Terminal that make no guarantees of the human right to FoRB.
- The Constitution of Mauritania establishes Sunni Islam as the state denomination.
- The government of Mauritania institutes a policy of ‘religion by default’ in which all citizens must self-declare as Muslims.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Sunni Islam in Mauritania.
- Evaluations
 - The lack of existential recognition in Mauritania for any denomination other than Sunni Islam is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** the Mauritanian government refuses to register non-Islamic religions as religious groups and neither has any mechanisms for the registration of Islamic groups.
 - **NGO mandatory registration:** nongovernmental organisations (NGOs) and other kinds of humanitarian charities, including those affiliated with non-Islamic religions, are mandated to register with the Ministry of Interior.

- **Amendments:** *according to government officials and civil society organizations, the new NGO law adopted in January 2021 makes it easier for NGOs, including faith-based organizations, to register and operate in the country. The government adopted the implementing decree for the NGO law on October 20, and several NGOs registered under the new provisions by the end of the year.*
- Evaluations
 - The policy of non-registration that is imposed in Mauritania is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Citizenship law:** non-Muslims cannot become citizens and any citizen found to engage in non-Islamic proselytism will lose their citizenship.
 - **Hieronymy:** the importation of all non-Islamic religious materials or devotional items into Mauritania is prohibited, both for personal and propagational use due in part to the ban on non-Muslim proselytism.
 - According to the FedEx Cross Border global lists, “all political material” is prohibited from importation into Mauritania.
- Communal activity
 - **Proselytism:** faith-based NGOs must agree to refrain from proselytising or otherwise promoting any religion other than Islam. Similarly, non-Muslims cannot proselytise.
 - **Non-Islamic proselytism:** *the government continued to forbid non-Muslims from proselytising, although there was no specific legal prohibition. The government continued to ban any public expression of religion except that of Islam.*

- **Religious gatherings:** the law requires the Ministry of Interior to authorise in advance all group meetings, including non-Islamic religious gatherings and those held in private homes.
 - Authorized churches were able to conduct services within their premises but could not proselytize. An unofficial government requirement restricted non-Islamic worship to the few recognized Christian churches. There are Roman Catholic and other Christian churches in Nouakchott, Kaedi, Atar, Nouadhibou, and Rosso. Non-Islamic religious services remained open only to foreigners – citizens could not attend. Some churches were not able to get authorization from the government, and this affected their ability to operate in the country. For example, some churches could not open a bank account in the church’s name. Several international Christian NGOs reported they continued to operate successfully in the country. Although the MOI authorized few group meetings early in the year due to COVID-19 restrictions, more meeting requests were approved once the last of the restrictions were lifted in September, according to NGOs and MOI officials.
- **Religious literature:** *the possession of non-Islamic religious materials remained legal, although the government continued to prohibit their printing and distribution. The government maintained a Quranic television channel and radio station. Both stations sponsored regular programming on themes of moderation in Islam.*
- Penal code
 - **Apostasy law:** the law prescribes the death penalty for apostasy, that is any Muslim who converts away from Islam. The law has yet to be applied since it was enacted in 2018 which shows that the deterrent of capital punishment for converts is currently working.
 - **Blasphemy law:** as part of the 2018 amendments to laws on apostasy and blasphemy, punishments for blasphemy offenses worsened. The new law removes the possibility of

repentance to avoid a death sentence for committing some forms of blasphemy.

- In June 2020, journalist Eby Ould Zeidane was accused of blasphemy after he called for Ramadan to be held on fixed dates. Ould Zeidane was released that month and repented in July.

- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Mauritania to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Mauritania for this First Edition of *Recognition of Religion or Belief*.

Overview

- Sunni Islam is the state denomination.
- There exists no recognition system in the country; essentially, there is no opportunity for any non-Muslim groups to exist either by existential recognition or legal registration.
- Conversions laws here are some of the strictest in the world with the death penalty in the legislation for this offence (although this remains a dormant law).

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the current system is the necessary precursor to attaining any kind of semblance of religious freedom.

- Repeal laws criminalising conversion from Islam and proselytism by non-Muslims, as well as terminally restrictive laws that abuse citizenship.

Restriction tools implemented

- Blasphemy laws are widespread; repentance is mandatory for any offenders.
- Citizenship restriction tool is in effect which makes citizenship contingent on being a Muslim.
- Conversion to a religion other than Islam is illegal.
- Dormant laws exist throughout the legislation particularly regarding capital punishment.
- Essentially religion by default (specifically Islam by default) but not explicitly stated.
- Proselytism by non-Muslims is criminalised.
- Retribution of capital punishment is not enacted in practice although remains in the legislation.
- State denomination (as a form of state religion).
- The government requires authorisation of all religious activity in the country.

History of RoRB classification

- Mauritania has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Mauritius, Republic of — Restrictive

RoRB and national identity

- The Constitution of Mauritius makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice though with some infractions.
- The Republic of Mauritius is a secular state.
- A parliamentary decree from 1968 recognised Hinduism, Catholicism, Islam, Anglicanism, Presbyterianism and Seventh-day Adventism. However, no additions have been made to this list of religions which were all present prior to the country's independence.

Recognition law

- Structures and procedures for existential recognition
 - Representative bodies of the six recognised religions receive annual subsidies from the finance ministry based on their number of members based on census data.
 - There are currently no procedures set out detailing how other religions may receive the same degree of existential recognition as the six already recognised.
- Evaluations
 - The lack of existential recognition in Mauritius for any denomination other than those already recognised is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Quasi-mandatory registration:** although Mauritian law states that the registration of religious groups is mandatory, unregistered groups operate without penalties.

- **Procedure:** the registrar of associations manages registration applications for religious groups.
- **Leadership quota:** religious groups must have a minimum of 7 leaders with designated role and responsibilities to qualify for registration.
- **Registration benefits:** tax-exemption and access to hospitals and prisons for the conduct of pastoral services.
- **Non-response:** *the government again did not take action to recognize the Assemblies of God as a religion. The denomination began petitioning the government for such recognition approximately 20 years ago, but as of year's end the group was still considered an association. As a consequence of being considered an association, according to a pastor from the Assemblies of God, newborns could not be registered as Assemblies of God members and the group's pastors had limited access to hospitals and prisons. The government continued not to offer a reason for not legally recognizing a religious group since 1985, when it gave such recognition to the Church of Jesus Christ. Consequently, other religious groups continued to have status only as associations. Religious and civil society sources said they suspected that the government did not want to add to the list of recognized religions because it would reduce the number of citizens considered Hindu.*

- Evaluations

- The imposition of a quasi-mandatory registration policy is impermissible to RoRB standards.
- The imposition of a membership quota of any kind is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Mauritius as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity

- **Foreign missionaries:** religious groups must obtain both residence and work permits for each foreign missionary. The Prime Minister's Office is the final authority on the issuance of these documents. The government grants residence permits to missionaries for a maximum of three years, with no extensions.
- **Hieronymy:** the importation of religious materials or devotional items into Mauritius is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Mauritius' penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Mauritius to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Inter-religious tension:** tensions between Muslim and Hindu communities continue to be reported.

Overview

- Existential recognition is bestowed to six religious communities: Hindus, Catholics, Muslims, Anglicans, Presbyterians and Seventh-day Adventists.
- Recognition and registration are ideally differentiated in Mauritius but the former as existential recognition is bestowed only to the six communities aforementioned; all other groups may only gain a semblance of recognition through registering for tax-exemption.

- The existence of the rule of mandatory registration violates the Bielefeldt provision even though there are not penalties for unregistration.
- The involvement of the Prime Minister's Office in foreign missionary approval is inappropriate as this suggests politicisation of the process.
- Ongoing tensions between Muslims and Hindus should be resolved through mutual recognition and more sophisticated means of religious education to promote the message of the importance of the diversity of religious belief and practice.

Positive elements

- Financial support from the state is provided but only to the six recognised religious communities according to the degree of adherence in the country identified through census.
- Freedom of religion or belief is generally upheld.

Recommendations

- Extend procedures for existential recognition to all belief systems, denominations and communities in the country.
- To become Dynamic, Mauritius will need to establish a recognition agency to manage its recognition system.
- Revoke the hypervertical recognition system, the imposed leadership quota and the policy of non-recognition.

Restriction tools implemented

- Mandatory registration for all religious groups.
- Membership quotas are in place although these are relatively small and easily overcome.
- Politicisation of the process of approving foreign missionaries is possible.

History of RoRB classification

- Mauritius has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

United Mexican States — Restrictive

RoRB and national identity

- The Mexican Constitution makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice though with some infractions.
- The United Mexican States is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Mexico.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Mexico demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** religious groups are not required to register with the government “to operate” although the legislation also states that to convert an existing building into a place of worship requires prior registration. As operating a place of worship at least by renting is regarded in RoRB standards to constitute a basic religious activity, registration becomes in effect mandatory.
 - **Legal designation:** religious groups in Mexico are legally designated religious associations.
 - **Registration benefits:** to negotiate contracts, purchase or rent land (**renting for religious services is a basic religious activity**), apply for official building permits,

receive tax exemptions, or hold religious meetings outside of customary places of worship (**confinement**).

- **Qualifications:** applicants must certify the church or other religious group observes, practices, propagates, or instructs a religious doctrine or body of religious beliefs (possible **state definition of religion**); has conducted religious activities in the country for at least five years (**longevity quota**); has established domicile in the country (**nationality quota**); and shows sufficient assets to achieve its purpose (**financial quota**).
- **Procedure:** first-time applicants must register in person which violates RoRB standards. The General Directorate for Religious Associations (DGAR) manages religious registration in Mexico and is part of the Secretariat of the Interior (SEGOB).
 - **Role of SEGOB:** *the federal government coordinates religious affairs through SEGOB. Within SEGOB, DGAR is mandated to promote religious tolerance, conducts conflict mediation, and investigates cases of religious intolerance. If a party presents a dispute based on allegations of religious intolerance, DGAR may mediate a solution. Each of the 32 states has offices responsible for religious affairs. CONAPRED is an autonomous federal agency responsible for ensuring nondiscrimination and equal opportunity, including for minority religious groups.*
 - **Registration rate:** *DGAR registered 61 new religious associations during the year, compared with none in 2020. By year's end, DGAR listed 9,615 registered religious associations. Registered groups included 9,571 Christian, 12 Buddhist, 10 Jewish, three Islamic, two Hindu, and three International Society for Krishna Consciousness groups as well as 14 new religious expression groups. According to DGAR, new religious expressions groups are philosophical or spiritual communities that might be born of new beliefs or be part of a broader religion; DGAR stated they were on the periphery of traditional religions.*

- Evaluations

- The imposition of a pseudo-mandatory registration onto registrant religious groups is impermissible to RoRB standards.
- The imposition of a longevity quota onto registrant religious groups as a qualification is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Mexico as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Censorship:** religious associations may not hold political meetings of any kind or own or operate radio or television stations. Government permission is required for commercial radio or television to transmit religious programming.
 - **Foreign missionary activity:** *a visa category exists for foreign clergy and religious associates to obtain a temporary resident visa or visitor visa without authorization to perform paid religious activities.*
 - **Hieronymy:** the importation of religious materials or devotional items into Mexico is permitted without restriction, both for personal and propagational use.
 - **Notification of meetings:** religious associations must notify the government of their intention to hold a religious meeting outside their licensed place or places of worship. [Determine nefarious intent or not].
 - **Organisation:** Registered associations may freely organise their internal structures and adopt bylaws or rules pertaining to their governance and operations, including the training and appointment of their clergy. They may engage in public worship and celebrate acts for the fulfilment of the

association's purpose lawfully and without profit. They may propagate their doctrine in accordance with applicable regulations and participate in the creation, management, maintenance, and operation of private welfare, educational, and health institutions, provided the institutions are not for profit.

- **Religious property:** religious groups must apply for permits to construct new buildings or convert existing buildings into places of worship. Any religious building constructed after January 27, 1992, is the property of the religious group that built it and is subject to relevant taxes. All religious buildings erected before then are considered part of the national patrimony and owned by the state.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Mexico's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** DGAR promotes religious tolerance, conducts conflict mediation, and investigates cases of religious intolerance. If a party presents a dispute based on allegations of religious intolerance, DGAR may mediate a solution. Each of the 32 states has offices responsible for religious affairs. The National Council to Prevent Discrimination (CONAPRED) is an autonomous federal agency responsible for ensuring nondiscrimination and equal opportunity, including for minority religious groups.

Social dimensions of RoRB

- Indigenous Evangelical communities in Chiapas face occasional persecution by local authorities.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; there is a focus on legal registration with few to no means for existential recognition.
- The requirements for registration seem appropriate although there is subjectivity in the language used that could be misused against applicant groups such as “domicile in the country”; the existence of a longevity quota suggests that this language could be misused to restrict the registration process.
- The provision for registered associations to “freely organise their internal structures” suggest that unregistered do not have this right which intimates government involvement in the internal affairs of unregistered groups.
- The requirement for groups to apply for building permits seem appropriate although ambiguity as to the process is concerning; the degree of discrimination in the process is yet to be determined; ownership of all religious buildings constructed prior to 1992 is also dubious.
- Even only a degree of mandatory registration existing in the system is a violation of the Bielefeldt provision.

Positive elements

- Investigations into human rights abuse cases are made by the SEGOB and there is a system of offices established to deal with religious affairs.

Recommendations

- Establish provisions for existential recognition in addition to the provisions for legal registration.
- Revoke all restriction tools identified such as longevity quotas and in-person registration as well as the policy of confinement.
- Establish a nationwide recognition agency.
- Resolve the issue of pseudo-mandatory registration.

Restriction tools implemented

- A mixture of stipulatory and mandatory registration is in effect.

- Confinement restriction tool is in effect.
- Government involvement in the internal affairs of religious organisations is in effect.
- Longevity quotas are in effect.
- Subjective language exists in the legislation.

History of RoRB classification

- Mexico has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Micronesia, Federated States of — Apathetic

RoRB and national identity

- The Constitution of Micronesia makes an explicit claim to freedom of religion or belief, a claim that is broadly upheld in practice by the government.
- The Federated States of Micronesia is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Micronesia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Micronesia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups only need to register with the government if they seek exemption from taxation.
 - **Legal designation:** religious groups are regarded as non-profit organisations when they complete registration.
 - **Registration benefits:** tax exemptions.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in the Federated States of Micronesia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign religious activity:** *because of the COVID-19 pandemic, some U.S. missionaries, church workers, and religious teachers from the Church of Jesus Christ, the United Church of Christ, the Jehovah's Witnesses, and the Seventh-day Adventists departed the country. The government closed its borders to international travellers from March 2020 to May 2021, and multiple religious leaders reported many of their staff and congregation members had to remain outside the country. At year's end, the backlog of returnees outpaced the limited number of repatriation seats available.*
 - Government leaders did not take any position on the public statements of some Christian leaders calling for the exclusion of non-Christians and/or the prohibition of the open practice of non-Christian religions.
 - **Hieronymy:** the importation of religious materials or devotional items into Micronesia is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Micronesia's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Micronesia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims:** a small Ahmadi Muslim community has reported some instances of discrimination and vandalism and intolerance for non-Christian religions in several of states is a growing concern.

Overview

- Recognition and registration are amalgamated; a focus is placed on legal registration; there exists no provisions for existential recognition; only a semblance of recognition is available through tax-exemption.
- The existence of intolerance towards non-Christian religions demonstrates need for broader means of recognition and more sophisticated religious education in the country.

Positive elements

- Religious freedom is generally respected.

Recommendations

- Establish distinct provisions for existential recognition.
- To become Dynamic, establish an independent recognition agency to manage the system.

Restriction tools implemented

- Stipulatory registration.
- Unstructure exists in the system that has lead to a lack of provisions in existential recognition.

History of RoRB classification

- The Federated States of Micronesia was classified Receptive in the SRR in the first edition of the RoRB Index in 2021.
- However, the 2022 RoRB Index was moved down and reclassified Apathetic.

Moldova, Republic of — Restrictive

RoRB and national identity

- The Constitution of Moldova makes an explicit claim to freedom of religion or belief and although the government does generally uphold this right in practice, some infractions have been identified.
- The Republic of Moldova is a secular state.
- However, the Moldovan Orthodox Church (MOC) is extended state privilege by the government. Orthodox symbols have been placed in public institutions, and Orthodox churches are sometimes present within public hospitals and some schools.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Moldova.
 - **State privilege:** according to minority religious groups, respect for religious freedom and official attitudes towards religious minorities improved during the year because a new government, which took office in August, emphasised support for religious diversity. Officials from the new government attended public events with the MOC, BOC, Catholic Church, Jewish Community, Pentecostal Church, and other minority groups. However, minority groups said the MOC continued to enjoy advantageous treatment under the law.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Moldova demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the law states that groups do not need to register to operate, this principle is undermined by the fact that unregistered groups cannot conduct the following: build houses of worship, own land for cemeteries or other property, publish or import religious literature, open bank accounts, or employ staff. Of particular concern is the inability for unregistered groups to publish or import religious literature as well as to build place of worship (it is unsure whether this includes operating such places of worship). As these two actions are seen in RoRB standards as fundamental religious activities that should not need registration, the procedure is labelled pseudo-mandatory.
 - **Registration benefits:** build houses of worship, own land for cemeteries or other property, publish or import religious literature, open bank accounts, employ staff, become exempt from land taxes and property taxes and establish related associations and foundations. The law also permits local, registered religious groups to change their denominational affiliation or dissolve themselves.
 - **Monitorial requirements for income tax distribution:** the law allows individuals to redirect 2 percent of their income tax to nongovernmental organisations (NGOs) or religious groups. Religious groups wanting to benefit from the provision must be officially registered and active for a minimum of one year before applying for the income tax benefit; register with the government's PSA; use the funds received only for social, moral, cultural, and/or charitable activities and certain administrative costs; and present reports on the use of the funds.
 - **Procedure:** registration brings legal entity status to registered groups. The Public Services Agency (PSA) deals with the registration procedures for religious groups. The law exempts religious organisations from registration fees and from paying tax on the income received as donations under the 2 percent law.

- **Informational requirements:** a declaration including its exact name, fundamental principles of belief, organisational structure, scope of activities, financing sources, and rights and obligations of membership.
- **Membership quota:** a religious group seeking legal entity status must prove it has at least 100 founding members (**membership quota**), that is 100 Moldovan citizens who self-identify as part of the group (**nationality quota**). It remains unclear whether signatures from members are required as part of this quota.
- **Proof of premises:** a religious group must present proof it has access to premises where it can conduct religious activities, but it does not need to own this property.
- **Regulatory interval:** the PSA is required by law to register a religious group within 15 days if the registration request is made according to law.
- **Extension request:** the applicant may request an extension if the government determines the documentation submitted are insufficient.
- **Grounds for dissolution:** under the law, the Ministry of Justice has the right to request a suspension of the registered status of a religious group if it “carries out activities that harm the constitution or laws” or “affects state security, public order, [or] the life and security of the people.” The law also provides for suspension or revocation of a religious group’s registration in case of violation of international agreements or for political activity as well as on the basis of coercive proselytism.
- **Registration rate:** *during 2021, the PSA registered all 21 religious entities that applied. These were new religious subgroups belonging to existing religious denominations, including the Baptist Church, MOC, BOC, and Union of Pentecostal Churches. The PSA registered all 29 that applied in 2020.*

- Evaluations

- The imposition of a pseudo-mandatory registration policy onto registrant religious groups is impermissible to RoRB standards.

- The imposition of a membership quota of any kind to RoRB standards is impermissible.
- The necessity for a religious group to provide proof of premises to conduct its activities is impermissible to RoRB standards.
- The provision of extension requests to registrant religious groups is welcomed.
- Presenting some “basic religious activities” (which shouldn’t require registration) as registration benefits is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Moldova as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** *foreign missionaries may submit work contracts or volunteer agreements to apply for temporary residency permits and may reside and work in paid status or as unpaid volunteers. Only missionaries working with registered religious groups may apply for temporary residency permits. Foreign religious workers with these permits must register with the National Agency for Employment and the Bureau for Migration and Asylum. They must present documents confirming the official status of the registered religious group for which they will work, papers confirming their temporary residence, and proof of valid local health insurance. Foreign missionaries belonging to registered religious groups who do not wish to apply for temporary residency may remain in the country for 90 days on a tourist visa.*
 - **Hieronymy:** the importation of religious materials or devotional items into Moldova is permitted without restriction, both for personal and propagational use although rules for unregistered religious groups may differ, possibly

leading to restrictions for the importation of their religious texts and other religious items.

- **Pastoral services:** *the MOC continued to maintain a network of social assistance sites, including daycare centres and temporary shelters within churches and monasteries, and to provide spiritual guidance and services to police officers, state workers, and prison inmates. Other registered religious groups had access to state facilities upon request.*
- **Places of worship:** *minority religious groups reported isolated problems obtaining construction permits for houses of worship from local authorities; they said these problems were not significant obstacles to their activities.*
- **Restitution:** *the government continued not to act on previous attempts by the Jewish, Catholic, and Lutheran communities to regain title to property confiscated during the Soviet era or to obtain similar properties. In contrast, the MOC continued to have use of, and exercise control over, most confiscated “historic” religious properties under a 2003 agreement with the Ministry of Culture, although the government retained title to the properties.*
- Penal code
 - **Proselytism:** the law prohibits religious entities from engaging in political activity or “abusive proselytism,” defined as the action of changing religious beliefs through coercion.
- Facilitation of religion or belief
 - **Ombudsmanship:** the People’s Advocate is the title given the ombudsperson for Moldova and since 2021, Natalia Moloșag has held the position.

Social dimensions of RoRB

- **Catholics:** *the Catholic Diocese of Chisinau’s written complaints to the government that registration law provisions pertaining to the*

organization of religious groups were incompatible with Catholic canon law remained unaddressed at year's end. According to Catholic Church representatives, canon law grants bishops the authority to organise new parishes and appoint priests, while Moldovan law requires that newly registered religious communities be created through the initiative of community members, with leadership chosen by the members.

- **Falun Gong practitioners:** during 2021, the ECHR ruled on two cases filed by the Falun Dafa Association. In the first case, on June 29, the ECHR ordered the government to pay 4,500 euros (\$5,100) in damages and 1,500 euros (\$1,700) in costs and expenses to the Falun Dafa association for violating Articles 9 and 11 of the European Convention on Human Rights by deciding to dissolve that association and the Falun Gong. Citing a procedural mistake in the application, the court dismissed the second case, in which the Falun Dafa sought compensation for the authorities' 2010 cancellation of a performance by Shen Yun Performing Arts, a Falun Gong-affiliated performance group from New York, reportedly because of pressure from the Chinese government. A third case before the court, submitted by the Falun Dafa in 2020, which alleged a violation of the group's right to peaceful assembly after the Chisinau mayor's office denied group members permission to hold a rally during the visit of a Chinese delegation in 2017, remained pending at year's end.
- On October 12 2021, the Ministry of Justice removed the Falun symbol, which contains one large and four small swastikas, from its register of extremist materials. This followed a 2020 ruling by the Supreme Court of Justice that reversed the government's earlier decision to dissolve the Falun Gong and Falun Dafa Associations in accordance with lower court rulings starting in 2013 that stated that the two associations violated the law against extremism by using the swastika as symbols on the emblem. Both the Falun Gong and Falun Dafa Associations were able to reregister with the PSA in 2020. The two associations had used the swastika symbol based on Buddhist and Chinese tradition.
- **Jehovah's Witnesses:** Jehovah's Witness leaders reported that all their cases related to obtaining zoning permits for Kingdom Halls

were resolved and they had completed construction of all the Kingdom Halls they had planned to build throughout the country.

- **Jews:** in June 2021, the Orhei office of the PSA rejected the JCM's application for registration of a synagogue in Orhei city. The building had been transferred to JCM ownership by a 2014 Orhei city council decision. The JCM filed a complaint to the PSA against the "arbitrary actions" of the agency in this case, but the PSA took no further action on the synagogue's registration by year's end. In October, the government approved the construction of a Holocaust memorial in Orhei, to be built with Orhei city budget resources. The memorial will honour the memory of approximately 4,000 Jews from Orhei killed in 1941-1945.
- **Orthodox Christians:** during 2021, a dispute continued between the BOC and the MOC concerning the government's registration of a village church in Dereneu, Calarasi Region. In 2020, BOC representatives accused the PSA of illegally registering the church under the MOC's authority. The BOC officials said the church belonged to their denomination, although its status had been under dispute since 2017, when the parish and parishioners decided to switch legally and canonically from the MOC to the BOC. In October, BOC Secretary Archdeacon Maxim Sturza stated that both the BOC and MOC congregations were using the Dereneu church; the local BOC priest was conducting BOC church services in a chapel in the church courtyard, while the MOC priest held services in the disputed main church. According to MOC leaders, the local priest in Dereneu decided to join the BOC and started the conflict after refusing to follow disciplinary sanctions imposed by the MOC church that he was serving previously. The BOC's lawyer said a total of 12 cases related to the BOC-MOC conflict in Dereneu were under review in courts at year's end.
- **Pentecostals:** the Union of Pentecostal Churches continued to state that it remained unable to obtain a zoning permit for a building in Copceac village it bought in 2006 and used for religious services. The Pentecostal Church's 2020 appeal of a lower court ruling against it was pending at year's end, and the local Copceac congregation was in search of a new location for its church.

- **Muslims:** Muslims have sometimes been summarily targeted by negative messages and comments in media and by figures including former president Dodon.

Overview

- State privilege is bestowed to Moldovan Orthodox Church; thus, existential recognition is bestowed to Eastern Orthodoxy.
- Recognition and registration are differentiated but a system of partial recognition is in effect whereby existential recognition is only bestowed to Moldovan Orthodoxy while legal registration is the form of recognition available to all other groups.
- Restrictions exist for unregistered religious groups.
- Informational requirements are intrusive primarily demands for details on the “scope of activities”, “financing sources” and “organisational structure”.

Positive elements

- Nil.

Recommendations

- Provide means for existential recognition that are extended to all belief systems, denominations and communities.
- Revoke all identified restriction tools such as membership quotas.
- Establish a recognition agency that is independent of government for the management of the recognition system and the promotion of both religious education and the diversity of religious belief and practice.

Restriction tools implemented

- Informational requirements are intrusive.
- Membership quotas are in effect.
- Partial recognition is in effect.
- Restrictions are placed on proselytism through the use of subjective language in the legislation.

- Restrictions surrounding use of tax-exempt funds are in effect.
- State privilege.
- Stipulatory registration.
- Subjective language is used in the legislation which may likely be misused.
- Unjust restrictions are imposed on unregistered groups, namely limitations on importation and publication of religious literature.

History of RoRB classification

- Moldova has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Monaco, Principality of — Receptive

RoRB and national identity

- The Constitution of Monaco makes an explicit claim to freedom of religion or belief, a claim that is broadly upheld in practice by the government.
- The Constitution of Monaco establishes Catholicism as the state denomination.

Recognition law

- Structures and procedures for existential recognition
 - **Vertical recognition:** a hierarchical recognition structure is in place with Catholicism receiving greater degrees of recognition than that of the other “officially recognised” religions namely Protestantism, Russian Orthodoxy and Judaism.
- Evaluations
 - The imposition of a vertical system of recognition is impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not demand that religious groups register, the fact that to open a place of worship or office requires approval from the government in effect makes registration mandatory due to the fundamental role that a place of worship plays in religious activities without which a religion could not truly exist. What has to be taken into account with the particular case of the Principality of Monaco as a microstate is the relatively sparse amount of space which doesn't negate the pseudo-mandatory designation but it does mean that the

government has to perhaps manage the type of buildings constructed and also what they are used for.

- **Legal designation:** religious associations.
- **Registration benefits:** to establish an office or place of worship, own or lease property, or hire employees. The government does not tax religious institutions whether registered or not.
- **Procedure:** registration takes place with the Ministry of the Interior. The Catholic Church need not register as it is the state denomination. The government has granted what it calls “recognition” to Protestant, Russian Orthodox and Jewish communities through this procedure.
- **Places of worship:** in addition to obtaining official government recognition, any religious group wishing to construct a place of worship in a public space must seek prior approval from the Ministry of Interior.
- **Regulatory interval:** a regulation states that the Ministry of the Interior must respond within one month or approval is granted automatically.
- There is little distinction between registration and recognition as the term “official recognition” is used in the terminology to refer to registered groups although this does not equate to the same degree of recognition received by the Catholic Church as the state denomination.

- Evaluations

- The imposition of a pseudo-mandatory registration policy is impermissible to RoRB standards.
- The provision of a regulatory interval as a form of self-regulation is welcomed.
- There is an ongoing issue of the amalgamation of registration and recognition in Monaco.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Monaco as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Monaco is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Monaco's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Monaco to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Jehovah's Witnesses**: *in September 2019, the Jehovah's Witnesses took their case for recognition as a religious group to the ECHR, which formally notified the government of the case on July 15. An official from the Ministry of Foreign Affairs said the principality was studying the case and would reply officially as required by the court. The case remained pending at year's end. The government had rejected the group's three previous applications – the most recent in 2019 – despite a Supreme Court ruling annulling the first two rejections. In its filings with the Supreme Court, the government had described the group as a danger to public order, as extreme and intolerant, and hostile to the Catholic Church and to other religious groups. The Jehovah's Witnesses stated that without government recognition, they remained unable to establish a headquarters in the country where they could worship and welcome new members. The Jehovah's Witnesses also noted that dozens of their members visited the principality as tourists every year and often asked how to access*

religious services. Catholic rituals continued to be a part of many state ceremonies, including annual national day celebrations.

Overview

- State denomination is Catholicism.
- Recognition and registration are differentiated but a system of partial recognition is in effect whereby only the Catholic Church may achieve existential recognition and all other groups are only offered legal registration (even though this is stylised as official recognition); the recognition that Protestants, Russian Orthodox and Jewish communities have received is not the same level of recognition that Catholicism has received because those groups are only classified as religious associations.
- Due to the confined space that Monaco has for construction, its demand for mandatory registration of offices and places of worship prior to their construction is a very rare exemption to the rule; elsewhere, this same practice would receive the country the classification of restrictive.

Positive elements

- Freedom of religion or belief is generally upheld.

Recommendations

- Remove instances of partial recognition (which would mean the disestablishment of Catholicism as the state religion if the same degree of recognition cannot be bestowed to groups than Catholics).
- Establish a recognition system that provides existential recognition and legal registration to all applicant groups regardless of their beliefs and practices.
- Establish a recognition agency to deal with this recognition system independently of the state.
- Resolve minor issues identified within the recognition system.

Restriction tools implemented

- Partial recognition is in effect.
- State denomination (as a form of state religion).
- Stipulatory registration.
- Unstructure exists within the system.

History of RoRB classification

- Monaco has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Mongolia — Censorious

RoRB and national identity

- The Constitution of Mongolia makes an explicit claim to freedom of religion or belief, although this right is not upheld in practice and is regularly infringed upon by the government.
- Mongolia is a secular state.
- However, the government extends state privilege to Buddhism and Buddhist traditions are encouraged among the citizens by the state.
- Mongolia was previously under 70 years of Communist rule during which time it was a hypersecular state subscribing to state atheism.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Mongolia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Mongolia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** to legally operate, religious groups must register with both the local, provincial and national authorities (the General Authority for State Registration), making registration mandatory for all groups. *Ulaanbaatar City Council officials again stated that the government used the*

registration and renewal process to assess the activities of the religious group, monitor the number of places of worship and clergy, determine the ratio of foreigners to nationals conducting religious activities, and determine whether their facilities met safety requirements. City Council officials said approval of applications that were ostensibly “denied” were more accurately “postponed” due to incomplete documentation and the poor physical condition of the place of worship, such as the lack of a proper fire exit or missing property lease agreements. In such cases, officials directed the religious organization to correct the deficiencies and resubmit its applications. Some Christian groups continued to state that the government inconsistently applied and interpreted regulations, changing procedures frequently and without notice. Some religious groups continued to state the registration and renewal process was arbitrary in some instances and that prolonged delays left them without any appeal mechanism during the waiting period.

- **Ambiguity over registration:** national law provides little detail on registration procedures and does not stipulate the duration of registration, allowing local and provincial authorities to set their own rules. It is more than likely that each level of the government makes arbitrary decisions as to whether they accept registration applications based on their favour for a certain religion or not.
- **Informational requirements:** a letter requesting registration, a letter from the lower-level local authority granting approval to conduct religious services, a brief description of the group, the group’s charter, documentation on the group’s founding, a list of leaders, financial information, a declaration of assets (including any real estate owned), a lease or rental agreement (if applicable), brief biographic information on individuals wishing to conduct religious services, and the expected number of worshippers. These are required at all level of registration from local, provincial and national authorities.
- **Certification:** a religious group must provide the General Authority its approved registration application to receive a certificate for operation.

- **Reregistration:** religious groups must renew their registrations (in most cases annually) with multiple government institutions across local, provincial, and national levels.
- **Reregistration procedure:** the renewal process requires a religious group to obtain a reference letter from the lower-level local authority to be submitted with the required documents (updated as necessary), to the local provincial or national representative assembly.
 - **Safety inspection:** during the renewal process, the local, provincial or municipal representatives commonly request a safety inspection of the religious organisation's offices and places of worship and remediation of any deficiencies found.
 - **Recertification:** the relevant provincial or municipal representative assembly issues a resolution granting the religious institution permission to continue operations, and the organisation sends a copy of the approved registration renewal to the General Authority, which enters the new validity dates on the religious institution's certificate for operation.
 - **Registration renewals:** *the Ulaanbaatar City Council continued to issue renewals valid for one year, but some religious groups continued to cite prolonged delays in processing. Other provincial and municipal representative assemblies issued renewals for either two or three years. An Ulaanbaatar City Council official said Christian groups continued to constitute the majority of those seeking registration and renewal. Christian leaders continued to attribute the difficulty in obtaining visas for religious workers mainly to delays in the processing of such renewals. Christian and other religious groups stated other deterrents to registration included the difficulty and expense of establishing a dedicated, regular worship site and changing government personnel. Groups continued to state that the requirement that each local branch of the organization separately register or renew as an independent legal entity apart from its parent organisation created additional bureaucratic burdens.*

- **Registration of places of worship:** each individual branch (or place of worship) of a religious organisation is required to register or renew as an independent legal entity, regardless of any affiliation with a registered parent organisation.
 - *Representatives of several religious groups, including Christian and Buddhist groups, stated that government authorities were not processing registration applications for new religious buildings in Ulaanbaatar, which an Ulaanbaatar City Council official, citing the need to wait for approval of updates to the law, said was the case. However, city officials processed registration renewal applications for existing buildings. Registration and renewal procedures continued to vary significantly across the country, largely depending upon the divergent practices of local government officials. According to several religious organizations, registration delays could affect a group's ability to employ foreign religious workers, as valid registration is required to sponsor a religious worker.*
- **Monitorial requirements:** religious groups continued to experience periodic audits, usually by officers from tax, immigration, local government, intelligence, and other agencies. Religious leaders said such audits typically took place once in a two-year period, but some inspection visits reportedly followed routine submissions of registration renewal applications. Because religious organizations remained closed most of the year due to COVID-19 pandemic restrictions, the government did not conduct additional inspections beyond routine ones, according to religious groups.
- **Unregistration:** unregistered churches lacked official documents establishing themselves as legal entities and as a result could not own or lease land, file tax returns, or formally communicate with the government. Individual members of unregistered churches typically continued to own or lease property for church use in their personal capacity. Some unregistered religious groups said they often could still function, although some reported experiencing frequent visits by local tax officials, police, and representatives from other government agencies.

- **Proposed amendments:** *the government has stated its intent to pass a new law on religion since 2018 but observers stated that concerns on all sides delayed passage beyond the end of 2021. Despite its being listed on the legislative agenda for the autumn session, there was no information on the status or content of the draft update to the law on religion. Some government officials cited the lack of an updated religion law as a reason for their inability to process new registration applications submitted by religious groups.*
- Evaluations
 - The imposition of a mandatory registration order onto registrant religious groups is impermissible to RoRB standards.
 - The registration of places of worship independently of the registration of BBOs is impermissible to RoRB standards.
 - The imposition of onerous reregistration procedures is impermissible to RoRB standards.
 - The onerous informational requirements imposed onto registrant religious groups are impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Restrictions on adolescent religiosity:** some local authorities require children under the age of 16 to have written parental permission to participate in church activities.
 - *There were no reports of local authorities restricting unaccompanied minors' participation in Christian religious services due to stated fears of "brainwashing" as in past years, although due to COVID-19 restrictions, churches suspended in-person religious services for much of the year. Children under the age of 16 required written parental permission to participate in church activities in some areas. The government required churches to retain this document in church records and make it available upon request. According to the Christian groups, the government enforced this requirement*

more strictly on Christian groups compared with other religious groups.

- Communal activity
 - **Foreign missionary activity:** *foreigners seeking to conduct religious activities, including proselytising, must obtain religious visas, and all foreigners are prohibited from proselytising, promoting, and practicing religion that violates the “national culture” and law. Only registered religious groups may sponsor foreigners for religious visas. Foreigners who enter the country on other classes of visas are not allowed to undertake activities that advertise or promote any religion (as distinct from personal worship or other individual religious activity, which is permitted). Under the law, “Engag[ing] in business other than one’s purpose for coming” constitutes grounds for deportation.*
 - *Some foreign nationals continued to face difficulties obtaining religious visas. Some religious groups noted that because the law required religious groups to hire at least five local employees for each sponsored foreign worker, some groups could not afford to hire enough local employees to meet this hiring ratio. Christian groups reported foreign missionaries seeking to enter the country often did so under nonreligious visas (such as student, teacher, or business visas), which legally restricted them from conducting activities allowed under religious visas. They stated that inconsistent interpretations of the activities in which they could legally engage left them vulnerable to deportation, although there were no known instances of this occurring during the year.*
 - *The validity of religious visas remained linked to a religious organization’s registration, which some Christian religious groups said resulted in additional visa process or renewal challenges. Foreign citizens could not receive or renew a religious visa unless their religious organization’s registration or renewal was already granted. The visa validity period corresponded with, and could not exceed, the registration validity of the holder’s sponsoring organization. COVID-19-related border closures also created challenges for religious groups seeking to sponsor foreign religious workers.*

- *In January 2021, the National Institute of Security Studies, a government think tank, published an article titled “Religious Concept and Threat of Terrorism” that studied the potential risks of foreign religions. It concluded that foreign religions in the country had reached a level that could affect national unity and sovereignty and suggested the state must “respect the dominance of Buddhist religion for upholding the unity of the people of Mongolia and heritage of traditional culture.”*
- **Hierony:** the importation of religious materials or devotional items into Mongolia is permitted without restriction for registered religious groups, both for personal and propagational use. It remains unclear whether unregistered religious groups are free to import their religious texts and related items of a religious nature.
 - According to the FedEx Cross Border global list, “any item which is harmful to Mongolia's politics, economy, culture/ morals” is prohibited from being imported.
- **Proselytism:** if a religious organisation or religious representative, such as a priest, minister, imam, monk, or shaman, is found to have committed acts of proselytisation through force, pressure, or deception, or to have spread “cruel” religious ideology.
- Penal code
 - **Proselytising “cruel” religious ideology:** fines ranging from 450,000 to 5.4 million tugriks (\$160-\$1,900), a travel ban ranging from six to 12 months, or six to 12 months’ imprisonment. The law does not define what constitutes “cruel” religious ideology.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Mongolia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians:** *Cornerstone Church of All Nations, which reported experiencing renewal difficulties for more than one year, was approved in May. Other religious organizations reported they had positive relationships with local and district level authorities but that a lack of understanding of the regulations governing religious organizations among some Ulaanbaatar City Council officials and provincial authorities resulted in the delayed processing of registration and renewal applications.*
 - *According to a Christian group, the local government in Darkhan-Uul Province renewed the registrations of six Christian churches that the Darkhan-Uul Provincial Council suspended in 2020 for failure to renew their expired registrations on time.*
 - *Some Christian religious leaders said temporary unregistered status could leave their organizations vulnerable to financial audit and possible legal action. Several groups, however, reported they continued to operate normally, despite the fact that their renewal applications had remained pending for years.*
- **Jehovah's Witnesses:** *Jehovah's Witnesses continued to report that the registration application for the Evangelisers of Good News of Holy Scriptures – their organization's legal entity in Ulaanbaatar's Nalaikh District – remained pending with the Ulaanbaatar City Council. This was despite a 2017 Ulaanbaatar Court of First Instance ruling that struck down the city council's argument that the congregation posed a potential threat to national security. Although the city council had as a result revoked its decision to annul the group's registration, it took no affirmative action to renew it. In October, the group submitted a new application for renewal and at year's end was awaiting a determination from the district council.*
- **Shamanists:** *Shamanist leaders continued to express concerns that the requirement for a registered place of worship placed limitations on their religion because of its practice of worshipping outdoors.*

Overview

- State privilege is bestowed to Buddhism.

- Recognition and registration are differentiated, however, a degree of existential recognition is only bestowed to Buddhism while all other belief systems, their denominations, communities and organisations are only offered a semblance of recognition through the procedures of legal registration; as such, a system of partial recognition is in effect.
- The segmentation of the registration process between local, provincial and national government offices is censorial.
- The informational requirements requested of applicant religious groups are excessive and how this information needs to be provided to different levels of government is censorial.
- The rule of mandatory registration violates the Bielefeldt provision.
- The rule that those aged 16 and under cannot participate in church activities without parental approval is a violation of the Convention on the Rights of the Child.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present restrictive apparatus that misuses recognition to the advantage of the government to control religious belief and practice of citizens.
- Repeal laws that call for mandatory registration and at local, provincial and national levels (segmentation).
- Remove all forms of subjective language in the legislation that is misused to restrict religious activity.

Restriction tools implemented

- Ambiguity and vagueness in the legislation means that government can manipulate the process.
- Informational requirements are excessive.
- Mandatory registration for all religious groups at multiple levels, both local, provincial and national.

- Partial recognition is in effect.
- Reregistration restriction tool; applied annually and at multiple levels of government.
- Segmentation is in effect which creates an onerous process.
- State privilege is in effect.
- Subjective language used in the legislation on proselytism has the scope to ban forms of belief that it does not agree with; retribution's for this crime include fines, travel ban or imprisonment.
- The legislation that gives local and provincial authorities the broad scope to "set their own rules" means that the registration process could easily be manipulated from province to province.

History of RoRB classification

- Mongolia has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Montenegro — Restrictive

RoRB and national identity

- The Constitution of Montenegro makes an explicit claim to freedom of religion or belief and although the government generally upholds this right, it does sometime infract upon it.
- Montenegro is a secular state.
- On 8th January 2020, the law Freedom of Religion or Beliefs and Legal Status of Religious Communities went into effect, replacing one from 1977. The new law meant that religious groups only need register if they seek legal entity status.
- For example, in recent years, the Serbian Orthodox Church (SOC) and its adherents have been the subject of discrimination and hate speech, and its clergy has been characterized by the DPS as enemies of the state. In late December 2019, a wave of protests erupted against the newly adopted and controversial Law on Freedom of Religion or Belief and the Legal Status of Religious Communities, which contained language SOC leaders said would allow the transfer of SOC church buildings and other property to the Montenegrin state. It was adopted after rancorous sessions of Parliament that saw, among other things, the arrest of opposition lawmakers. Discontent among the SOC religious community—the largest confessional group in Montenegro—eventually lead to a wave of the SOC-organized, large-scale peaceful protest rallies against the law. President Đukanović characterized the demonstrations as “a lunatic movement,” and claimed that participants were not against the disputed law, but rather opposed to Montenegrin statehood and independence. Nevertheless, the protests were reportedly the largest in the history of Montenegro, amounting at certain points to a fifth of the population in the streets across the country. In June 2020, members of the United States Commission on International Religious Freedom stated the Serbian Orthodox Church in Montenegro “rightly fears that the law serves as an excuse to confiscate property.” Attempts at dialogue between the government and the church failed to produce an agreement. In late December 2020, in somewhat rushed procedure, the new parliamentary majority adopted changes to the law, removing the

controversial parts regulating property rights and ownership of church buildings and estates. Determination of whether the 2020 religious freedom law holds nefarious intent is the priority in determining conditions of RoRB in the country and its future categorisation in the SRR.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** the government has established agreements with the ICM, JCM and Holy See that go into much further detail as to the legal status of these groups and regulates their relationship with the state. The debate remains as to whether groups with bilateral cooperation agreements hold greater degrees of recognition from the state than those without agreements. If this is the case, then certainly the Montenegrin recognition system would turn vertical.
 - The agreement with the Holy See recognizes Catholic canon law as the Church's legal framework and outlines the Church's property rights. The agreements with the ICM and JCM have similar provisions.
 - The agreements establish commissions between each of the three religious communities and the government. The government has no such agreements with the SOC, MOC, or the other recognised religious groups.
 - **Relevant ministries:** MHMR provides some funds to religious communities and oversees communication between the government and religious communities. The ministry is also in charge of drafting new legislation defining the status and rights of religious organisations.
- Evaluations
 - The provision of bilateral cooperation agreements is welcomed as a means of facilitating religion and belief but should be expanded to include new, minority or alternative beliefs groups.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the 2020 religious freedom law stated that religious groups no longer had to register with the government and only had to register to attain or maintain legal entity status, the fact that registration is a necessary prerequisite to a religious group renting property to conduct religious services (as it is listed as a registration benefit) which is a basic religious activity, the Montenegrin therefore becomes pseudo-mandatory.
 - **Procedures:** there are two types of registration procedure one for groups already registered under the 1977 law and still active in the country and one for new groups applying for register following the 2020 law coming into effect.
 - **Enrolment:** groups²³ grandfathered in by the 1977 law are referred as having undergone a process of enrolment (which entailed submitting an application to the MHMR within 9 months of the new law's enactment) and this includes: the MOC; the ICM; the Roman Catholic Church (Archdioceses of Bar and Kotor, registered as two groups); the Jewish Community of Montenegro (JCM); the Christian Adventist Church; Jehovah's Witnesses; the Diocese of Podgorica-Duklja of the Orthodox Church of Montenegro; the Church of Christ's Gospel; The Church of Jesus Christ of Latter-day Saints in Montenegro; the Evangelical Church of the Word of God; the Christian Lighthouse Center; the Mosaic Christian Community; the Biblical Christian Community; the Community of the Gospel of Jesus Christ; and the Baha'i Community in Montenegro.
 - **Registration:** a designated representative of the applicant religious group must submit an application for registration containing the necessary informational requirements specified by the MHMR.

²³ the SOC has not applied for registration.

- **Registration benefits:** the right to own or rent property; hold bank accounts in their own name; hire employees; receive a tax exemption for donations and sales of goods or services directly related to their religious activities; and receive judicial protection of their community, members, and assets.
- **Membership quota:** a very low membership quota is imposed of three adult members for registration under the new 2020 law who must either be citizens or hold legal status in the country.
- **Informational requirements:** provide its name and organising documents, the names of its officials, address of the group's headquarters, and location(s) where religious services will be performed.
- **Qualifications:** the group must have a headquarters addressed in the country and a name that differs from all other groups already registered (**nominal restriction**).
- **Property law:** the 2020 religious freedom law added provisions requiring religious communities to prove ownership of certain religious buildings and properties built or acquired prior to December 1, 1918, or risk their loss to the state.
- **Recategorisation:** *on October 15 2021, the Office of the Cadastre and State Property Administration changed the registration of Cetinje Monastery, whose ownership was contested between the MOC and SOC, from the municipality of Cetinje to the Metropolitanate of Montenegro and the Littoral (the SOC). The Office of the Cadastre noted the property was incorrectly registered to the municipality because of a data entry error when records were digitised in 1996. The SOC stated that the decision did not give it any new rights, but only corrected the past mistake. According to the SOC, after the decision, the municipality of Cetinje retained ownership of the land on which the monastery is situated but it granted the SOC the right to use the monastery.*
- **Amendments to registration law:** *on January 2 2021, President Djukanovic vetoed the amended religion law, which parliament had passed by a vote of 41 to zero in December 2020. President Djukanovic justified his veto by citing the "open legal issue" of whether parliament had the authority to vote on*

the bill, given that it lacked the physical presence of 41 parliamentarians required to establish a quorum. Parliament then overrode the veto, and the bill became law on January 26. The SOC had vigorously opposed the registration and proof of property ownership requirements that the amended law abolished.

- Evaluations
 - The imposition of a stipulatory registration policy in Montenegro is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.
 - The imposition of a membership quota is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Montenegro as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Ceremonies and services:** *the law allows all religious groups, including unrecognised ones, to conduct religious services and rites in churches, shrines, and other premises designated by local governments, but it requires approval from municipal police for such activities at any other public locations.*
 - **Foreign missionary activity:** *the SOC said the Ministry of Interior approved residence visas for its new foreign clergy, but that old cases where the Ministry of Interior under the previous government had denied residence permits for clergy were still unresolved. The SOC stated that these denials were based on*

discriminatory procedures that required work documentation from a registered employer, although the SOC was not legally required to register and was fully recognized. The SOC stated it had 100 legal cases open on priests who could not obtain public documents, identification cards, driver's licenses, or work permits or could not access public health services or schooling. The government granted the priests temporary residence status while they awaited a decision on their cases.

- **Hierony:** the importation of religious materials or devotional items into Montenegro is permitted without restriction, both for personal and propagational use.
- **Land allocation:** *at year's end, the Basic Court (first instance combined civil and criminal court) in Podgorica had not issued a ruling on the status of a parcel of land that the municipality of Podgorica had granted in 2020 to the MOC to build a religious facility and which the SOC had contested, stating that it had evidence of its prior ownership of the land. In late 2020, the newly elected national government cancelled the transfer to the MOC, citing the contested ownership, and asked the municipality to cede a different parcel to the MOC. The Basic Court was expected to issue its ruling on the case by June 17 but did not do so. According to the 2020 proposal, the value of the land was estimated at 658,920 euros (\$747,000), and the MOC planned to construct a 4,848 square meter (52,200 square foot) facility. In May, Podgorica municipal officials told media that they were looking for a new parcel that the municipality could grant to the MOC but they had not identified one by year's end.*
 - *Catholic Church officials continued to state that, as one of the largest property owners in the country, it remained engaged in numerous property disputes with the government and the SOC. The communist Yugoslav government confiscated many of the Catholic Church's properties in Bar and Ulcinj, and the government had not restituted the properties or compensated the Church. Instead, according to Church officials, during the 1990s, the government registered some properties previously held by the Catholic Church as belonging to the SOC. Church officials also stated the SOC had designs on Catholic Church properties in Bar and Ulcinj. They added that after the SOC*

took over ownership and management in the 1990s of a cemetery in Ulcinj that had previously been divided into areas for Catholic parishioners, SOC believers, and nonbelievers, the SOC disputed the right of Catholics and non-believers to bury their dead there. The Catholic officials said the SOC had decided to permit Catholics and nonbelievers to continue burying their dead in the cemetery but that the response was not a permanent solution to the issue.

- **Organisation:** the 2020 religious freedom law declared that unregistered religious groups were free to operate without government intervention and to practice or administer their faith as they see appropriate.
- **Proselytism:** the 2020 religious freedom law declared that unregistered religious groups may proselytise and receive donations.
- **Restitution:** *the law does not provide for religious groups to file for restitution of, or compensation for, property confiscated during the communist era. Individuals and private entities may file such claims.*
- **State support:** unregistered groups remain eligible to receive financial or other assistance from the state through the Ministry of Human and Minority Rights (MHMR).
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Montenegro's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** *the Directorate for Relations with Religious Communities within the MHMR regulates relations between state agencies and religious groups and is charged with protecting the free exercise of religion and advancing interfaith cooperation and understanding.*

- **State funding:** *the MJHMR continued to provide funding to some religious groups, which they could use for maintenance of religious shrines, educational or cultural projects, or social and medical insurance for clergy. Groups applied for funding to the MJHMR Minister, who made decisions based on the recommendations of a three person commission that he appointed and that evaluated all funding requests. The MOC received 23,045 euros(\$26,100), the ICM 40,084 euros (\$45,400), the SOC 74,107 euros (\$84,000), the JCM 18,000 euros (\$20,400), the Catholic Church 10,000 euros (\$11,300), and the Diocese of Podgorica-Duklja of the Orthodox Church of Montenegro 4,100 euros (\$4,600). Recognized religious communities also continued to receive in-kind assistance from other government ministries and from local governments.*

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Montenegro for this First Edition of *Recognition of Religion or Belief*.

Overview

- The 2019 law on Freedom of Religion or Beliefs and Legal Status of Religious Communities made improvements by repealing previous laws mandating religious registration in order to practice one's faith.
- Informational requirements for registration seem appropriate but any further expansion would make them intrusive; continued monitored will need to be conducted in order to ensure these requirements stay as they are and are not misused.
- Religious groups and religious organisations are the two categories of legal registration which suggests a system of vertical recognition is in place.
- The creation of bilateral cooperation agreements is possible but to what degree accessibility remains vague.

Positive elements

- All religious groups, whether registered nor not, are eligible for the receipt of financial and other forms of assistance which shows dynamic character.
- There are provisions for the investigation of human rights abuse cases and the promotion of religious freedom by the Directorate of Relations with Religious Communities.

Recommendations

- Establish a recognition agency to manage the recognition system independent of government control in order to qualify for Dynamic classification.
- There are some minor existent issues within the present recognition that also need to be resolved before Montenegro is designated Receptive; these involve the removal of membership quotas and other restriction tools imposed as identified above.

Restriction tools implemented

- A relatively mild version of vertical recognition is in place.
- Membership quotas are in effect but relatively very small and easily fulfilled.
- Ongoing tensions between the Serbian Orthodox Church (SOC) and the Montenegrin government have highlighted the need for mutual recognition (the SOC's recognition of the government and vice versa) and the government's proactive cooperation with the SOC; this should be resolved through dialogue and religious education.
- Politicisation of religion and belief is ongoing which should not take place in a dynamic country which is why Montenegro remains on receptive.
- Stipulatory registration.

History of RoRB classification

- Montenegro was classified Receptive in the SRR in the first edition of the RoRB Index in 2021; however, the RoRB Index for 2022 reclassified Montenegro as Restrictive.

Montserrat — Apathetic

RoRB and national identity

- Montserrat is a secular territory.
- Being part of the United Kingdom, Montserrat shares the same commitments made by the UK on international human rights instruments.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Montserrat.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Montserrat demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is insufficient reliable information on procedures for the legal registration of religious groups in Montserrat as of the First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Montserrat as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Hieronymy**: the importation of religious literature and devotional items into Montserrat is neither facilitated nor restricted by the authorities there, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Montserrat's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Montserrat to investigate cases of human rights violation in the territory.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Montserrat for this First Edition of *Recognition of Religion or Belief*.

Overview

- Montserrat is a secular territory.
- It is committed to the same international human rights instruments as the United Kingdom.
- There is insufficient reliable information on Montserrat's registration procedures for religious groups.

Positive elements

- Nil.

Recommendations

- Establish registration and recognition procedures for religious groups.

History of RoRB classification

- Montserrat was not included in the first RoRB Index in 2021 but was introduced in the 2022 RoRB Index and classified Apathetic.

Morocco, Kingdom of — Censorious

RoRB and national identity

- The Constitution of Morocco makes a partial claim to freedom of religion or belief, a right that is regularly infringed upon by the government in practice
- The Constitution of Morocco establishes Islam as the state religion though no specification is made to a state denomination.
- **Monarchical role:** the king, identified as “commander of the faithful” in the constitution, has ultimate authority over religious affairs.

Recognition law

- Structures and procedures for existential recognition
 - Moroccan law uses Islam as the basis of its legislation by virtue of Islam’s recognition as the state religion. The only other religion given a lesser degree of recognition in Morocco is Judaism due to the historical Jewish community of the country.
 - **Native groups:** Sunni Muslims and Jews are the only religious groups recognised in the constitution as native to the country. A separate set of laws and special courts govern personal status matters for Jews, including functions such as marriage, inheritance, and other personal status matters.
 - **Diplomatic mediation:** the Russian Orthodox and Anglican Churches are registered as branches of international associations through the embassies of Russia and the United Kingdom, respectively.
 - **Precedent recognition:** Protestant churches and the Catholic Church, whose existence as foreign-resident churches predates the country’s independence in 1956, as well as the Russian and Greek Orthodox Churches, maintain a special status recognised by the government, which allows them to preserve houses of worship and assign foreign clergy.

- Evaluations
 - There is a vertical system of recognition in place in which Islam as the state religion rests at the pinnacle, then the recognition of the native groups of Sunni Muslims and Jews, religions recognised under precedent recognition or diplomatic mediation, and then the unrecognised religions.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not demand registration for religious groups, unregistered groups may only worship or conduct services privately. As public services are a key element of the activities of a religious group, this rule in effect makes registration mandatory despite the fact that mandatory registration is not explicitly referred to.
 - **Legal designation:** religious groups that register are given the designation association.
 - **Registration benefits:** to conduct business on behalf of the group (e.g., open and hold bank accounts, rent property, acquire land and building grants, and have access to customs exemptions for imports necessary for the religious activities) or to hold public gatherings. Legal provisions outlined in the general tax code provide tax benefits, land and building grants, subsidies, and customs exemptions for imports necessary for the religious activities of recognised religious groups (Sunni Muslims and Jews) and religious groups registered as associations (some “foreign” Christian churches).
 - **Procedure:** religious groups should register with local Ministry of Interior officials in the jurisdiction of the association’s headquarters.
 - **Informational requirements:** the name and purpose of the association; the name, nationality, age, profession, and residential address of each founder; and the address of the association’s headquarters.

- **Liability:** an individual representative of a religious group that is neither recognised nor registered as an association may be held liable for any of the group’s public gatherings, transactions, bank accounts, property rentals, or petitions to the government.
 - There is little distinction between non-Islamic religious groups and secular organisations (e.g. NGOs). The constitution guarantees civil society associations and nongovernmental organisations (NGOs) the right to organise themselves and conduct their activities freely within the scope of the constitution.
 - **Broad caveat:** the law on associations prohibits organisations that pursue activities the government regards as “illegal, contrary to good morals, or aimed at undermining the Islamic religion, the integrity of the national territory, or the monarchical regime, or which call for discrimination.”
 - **Imam certification:** imams are required to obtain state certification, and mosques are monitored by the authorities. The government operates a well-financed training program for imams and female religious counsellors tasked with promoting a state-sanctioned version of “moderate Islam,” which some critics charge is also intended to promote political quiescence.
- Evaluations
 - The imposition of a pseudo-mandatory registration policy is impermissible to RoRB standards.
 - The necessity for imams to obtain certification before preaching and the fact that mosques are monitored by authorities is all impermissible to RoRB standards.
 - The imposition of a broad caveat onto what the government may designate a prohibited organisation is impermissible to RoRB standards.
 - The imposition of liability of an individual person for the unrecognised or unregistered activities of a religious group of which they are part is impermissible to RoRB standards.
 - The informational requirement requesting biographical information of a religious group’s different founders is

impermissible to RoRB standards due to the likelihood for such information to be misused by the government.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Morocco as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Censorship of Islam:** *the government required mosques to close to the public shortly after daily prayer times to prevent use of the premises for what it termed “unauthorised activity,” including gatherings the government believed could promote extremism. Construction of new mosques, including those constructed using private funds, required authorization from the MEIA. The government required religious leaders who worked in the country to abide by the guidelines outlined in the MEIA-issued Guide of the Imam, Khatib, and the Preacher. The MEIA continued to guide and monitor the content of sermons in mosques, Islamic religious education, and the dissemination of Islamic religious material by broadcast media, actions it said were intended to combat violent extremism.*
 - **Charity work:** *according to observers, the government permitted social and charitable activities consistent with Sunni Islam. For example, the Unity and Reform Movement, the country’s largest registered Islamic social organization, continued its close relationship with the Party of Justice and Development, the largest party in the governing coalition, and continued to operate without restriction, according to media reports.*
 - **Hieronymy:** *the importation of religious materials or devotional items into Morocco is permitted without restriction for registered religious groups, both for personal and propagational use. However, unregistered religious*

groups are likely to be prohibited from importing their religious literature, especially if it is for propagational use.

- According to the FedEx Cross Border global lists, all “communistic materials” and “items offensive to Muslim culture” are prohibited from importation into Morocco.
- **Large gatherings:** *a number of religious groups reported occasionally informing authorities of planned large gatherings, for which authorities at times assisted with security measures.*
- **Religious literature:** *the government continued to restrict the distribution of non-Islamic religious materials, as well as some Islamic materials it deemed inconsistent with the Maliki-Ashari school of Sunni Islam.*
- **Renovation and construction of places of worship:** *MOI and MEIA authorization continued to be a requirement for the renovation or construction of churches, synagogues, and mosques.*
- Penal code
 - **Preventing religious practice:** by law, impeding or preventing one or more persons from worshipping or from attending worship services of any religion is punishable by six months to three years imprisonment and a fine of 200 to 500 dirhams (\$22 to \$56).
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Morocco to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians:** the Christian community, which numbers approximately 50,000, also experiences prejudice. Christian marriages are not legally recognised by the government.

- *On October 9 2021, the group Coordination of Moroccan Christians launched a campaign advocating for revision of existing laws restricting the ability to conduct and attend services in official churches and the right to ecclesiastical or civil marriage. The group also called on the government to allow Moroccan Christians to be buried in Christian cemeteries and to hold Christian names.*
 - *The government continued to allow the operation of 44 registered, foreign-resident Christian churches. Some church leaders reported that Christian citizens generally did not attend those services out of fear of incurring governmental harassment, including concern that security authorities might open a file on them. However, some foreign-born clergy and Christian citizen leaders stated that some citizens who were well known to be Christian encountered no harassment from government security officers when they attended the services of registered foreign-resident Christian churches. Foreign residents and visitors attended religious services without restriction at those churches.*
 - *Authorities continued to deny Moroccan citizen Christian groups the right to Christian or civil marriage and funeral services, and the right to establish churches. The government denied official recognition to NGOs that it considered to be advocating against Islam as the state religion.*
- **Foreign residents:** many foreign-resident Christian churches (churches run by and attended by foreign residents only) are registered as associations.
 - **Jews:** despite deep societal prejudices, the small Jewish community is permitted to practice its faith, though many synagogues are unmarked.
 - *Following a process that lasted more than a year, authorities renewed the registration of the Rabat International Church in December. By year's end, the new pastor of the church, a non-Moroccan who had arrived in February, had not received his residency permit and permission to manage the church's activities.*
 - **Religious minorities:** *the Moroccan Association of Religious Liberties, an organization that advocates for rights of religious minorities, applied for registration in 2019 and remained*

unregistered at year's end. A foreign, non-Muslim religious association was still waiting for its organization's registration to be renewed, limiting its ability to hold meetings and raise funds.

- **Shia Muslims:** *according to religious leaders and legal scholars, the government's refusal to allow Shia Muslim groups to register as associations continued to prevent these groups from gathering legally for public religious observations. There are no known Shia mosques in the country. According to Shia community members, they were able to pray in Sunni mosques, but they risked criticism from other worshippers for their religious practices. Shia representatives reported they did not attempt to register during the year because they feared security forces would harass them, as had been the case in previous years.*

Overview

- The state religion is Islam.
- Judaism is the only other religion to receive any semblance of existential recognition from the constitution and legislation.
- The ultimate authority of the king on religious affairs is highly censorious and immediately politicises the religion and belief throughout the country.
- Recognition and registration are differentiated however a hierarchy of existential recognition exists with Islam at the top and Judaism below; all other belief systems and their derivatives may only gain a semblance of recognition through their legal registration as "associations" which demonstrates that a system of vertical recognition is in place.
- This procedure for registration seems to be the same as that for secular entities which is not ideal.
- The informational requirements of any applicant group seem appropriate but any further expansion would lend them to being intrusive or excessive; however, it is safely presumed that due to the Moroccan government's broader approach to religion and belief that any submitted information would be unjustly used against groups in the future.

Positive elements

- Nil.

Recommendations

- Establish procedures for legal registration of religious entities that are separate from secular ones.
- Establish provisions for existential recognition for all belief systems and their derivatives.
- Repeal any laws that restricts basic religious activities and curb misuses of the registration system that seek the same goal.

Restriction tools implemented

- Government monitoring of religious activity – even Islamic activity – is widespread; government involvement in the internal affairs of religious organisations is commonplace.
- Informational requirements are likely to be misused against religious groups although the contents of the requirements doesn't seem inappropriate on paper.
- Monarchical control of religion and belief.
- Normativism is widespread.
- Partial recognition is in effect.
- Politicisation of religion and belief is deeply entrenched.
- State religion.
- Stipulatory registration.
- Subjective language is used in the legislation in order to give the government broad scope to restrict religious activities it deems as “unconstitutional” even if such activities are not objectively unreasonable.
- The rule that individual representatives may face retributions for a whole group is dubious; likely such a rule would be applied to justify the arrest of members of unauthorised religious groups.
- Vertical recognition is in effect.

History of RoRB classification

- Morocco has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Mozambique, Republic of — Restrictive

RoRB and national identity

- The Constitution of Mozambique makes an explicit claim to freedom of religion or belief although this right is sometimes infringed upon in practice by the government.
- The Republic of Mozambique is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreement:** *an accord between the national government and the Holy See governs the Catholic Church's rights and responsibilities in the country. The agreement recognises the Catholic Church as a "legal personality" and recognises the Church's exclusive right "to regulate ecclesiastical life and to nominate people for ecclesiastical posts." The agreement requires Catholic Church representatives to register with the government to benefit from the Church's status. The accord also gives the Catholic Church the exclusive right to create, modify, or eliminate ecclesiastical boundaries; however, it stipulates that ecclesiastical territories must report to a Church authority in the country.*
- Evaluations
 - The provision of procedures for bilateral cooperation agreements is welcomed although these procedures need to be expanded to include new, alternative and minority religions.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government requires all NGOs to register with the Ministry of Justice, Constitutional, and

Religious Affairs and because of the legal designations of religions in the country, this means that registration is mandatory.

- **Legal designation:** under the law, religions are classified under the designations “religious organisation” and “religious group”, the former denoting an NGO while the latter denotes a denomination or community of people. Religious groups register at the denominational level or congregational level if they are unaffiliated.
- **Procedure:** religious groups and organisations register by submitting an application
- **Informational requirements:** identity documents of their local leaders and documentation of declared ties to any international religious group or organisation.
- **Quasi-mandatory registration:** although registration is mandatory, there are no outlined penalties for failure to register yet religious groups and organisations must show evidence of registration to open bank accounts, file for exemption of customs duties for imported goods, or submit visa applications for visiting foreign members.

- Evaluations

- The imposition of a mandatory registration order onto registrant religious groups is impermissible to RoRB standards; the registration procedures may also be accurately described as quasi-mandatory which is also impermissible to RoRB standards.
- The informational requirement that a registrant religious group provide documentation declaring its ties to international entities is permissible to RoRB standards as long as the provision of this information is not misused to deny registration or to limit foreign funding of religious groups.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in

Mozambique as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Mozambique is permitted without restriction, both for personal and propagational use. Although registration with the government is mandatory, it is not thought that registration is a precondition for the legal importation of a religion's literature or devotional items.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Mozambique's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Mozambique to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims**: Religious freedom is generally respected, but government responses to attacks by armed Islamists have involved closing mosques and detaining Muslim leaders, alarming human rights activists.

Overview

- There is a system of vertical recognition split between "religious organisations" which corresponds to a denomination (e.g. Catholic Church) and "religious groups" which corresponds to a specific place of worship or congregation of persons who share the same belief identity.

- Recognition and registration are amalgamated with a focus placed on the latter; there are few to no provisions for existential recognition.
- The stipulation during the registration process of declaring ties to international groups and organisations is dubious as to whether groups with foreign are discriminated against within the system.
- The rule of mandatory registration for religious organisations as NGOs violates the Bielefeldt provision.
- There exists a bilateral cooperation agreement between the government and the Catholic Church; the degree of opportunity for other groups to establish similar accords remains unclear.
- Ongoing issues of Islamic extremism need to be resolved through the promotion of more sophisticated forms of religious education and the use of mutual recognition as a diplomatic and social tool to promote the values of religious pluralism.

Positive elements

- Close to being classified Receptive.

Recommendations

- Establish a new recognition system whose procedures are exclusive to religious entities and which provides for both existential recognition and legal registration for all belief systems and their derivatives and at multiple levels of activity.
- Revoke excessive informational requirements and the mandatory registration order.

Restriction tools implemented

- Mandatory registration.
- Quasi-mandatory registration.

History of RoRB classification

- Mozambique has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Myanmar, Republic of the Union of — Terminal

RoRB and national identity

- The Constitution makes a partial claim to freedom of religion or belief although this right is systematically infringed upon in practice by the state.
- The Republic of the Union of Myanmar is a secular state.
- However, the Constitution (Section 361) does assign state privilege to Buddhism but does not establish Buddhism as the state religion. The Constitution “recognises the special position of Buddhism as the faith professed by the great majority of the citizens of the Union.”
- The Constitution forbids “the abuse of religion for political purposes.”

Recognition law

- Structures and procedures for existential recognition
 - **Constitutional recognition:** the Constitution also recognises the religions of Christianity, Islam, Hinduism and animism as existent religions in the country during the ratification of the Constitution. Although these four religions do receive existential through the Constitution, they do not receive state privilege in the same way that Buddhism does.
 - How other religions and religious communities in the country receive the same kind of existential recognition not through the Constitution or by alteration of the Constitution remains undetermined.
 - **State-sanctioned monastic orders:** there are nine state-recognised Buddhist monastic orders and the government bans any other kinds of Buddhist monks other than those who belong to these orders. The nine recognised orders submit to the authority of the State Saṅgha Mahā Nāyaka Committee (SSMNC), the members of which are elected by monks.
- Evaluations

- The provision of existential recognition through constitutional recognition inhibits new belief systems and denominations from being recognised by the state as no other procedures are established for existential recognition.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** all religious organisations must register with the government to conduct any religious services or other fundamental religious activities making registration mandatory.
 - **Legal designation:** completing registration is referred to as obtaining “official status”.
 - **Registration benefits:** registration is a prerequisite for owning land and obtaining construction permits.
 - **Local NGO registration:** the law on registering organisations specifies voluntary registration for local NGOs so the law remains contradictory as to the strictness of the mandatory nature of registration.
 - **Non-response:** *according to various religious organizations and NGOs, services to process the registration of NGOs, whether religious or not, were unavailable during the year because of regime-imposed COVID-19 protocols. According to representatives of some civil society groups, NGOs refrained from registering because doing so would require providing extensive information on the staff to the regime, which they preferred not to provide. According to CHRO, neither the government overthrown in February nor the subsequent military regime issued any permits to Christian groups to register and own land and properties. All such registration applications remained pending at year’s end, with some pending for more than 16 years.*
- Evaluations
 - The imposition of a mandatory registration order onto religious groups is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **National identity documentation:** *authorities continued to require citizens and permanent residents to carry government-issued identification cards that permitted holders to access services and prove citizenship. These identification cards indicated religious affiliation and ethnicity. Citizens were also required to indicate their religion on certain official applications for documents such as passports, although passports themselves did not indicate the bearer's religion. Members of religious minorities, particularly Muslims, continued to face problems obtaining identification and citizenship cards. Some Muslims reported they were required to indicate a "foreign" ethnicity if they self-identified as Muslim on their application for a citizenship card.*
- Communal activity
 - **Hierony:** *rules surrounding importation of religious materials or devotional items into Myanmar remain unclear, especially for unregistered religious groups. It is thought that personal use may be permitted although propagational use of literature is likely to come across restriction or requests of preapproval.*
 - According to the International Trade Administration, "items featuring images of the Buddha" and "pagodas" are prohibited from being imported into Myanmar.
 - **Marital law:** *to register a Buddhist marriage, a couple must appear in court with their national identity card (which identifies their religion as Buddhist) and attest that they are married. Buddhist marriages may be registered at any court with relevant jurisdiction. Christian marriages are regulated under a Christian marriage act dating from 1872, and to be recognized, must be officiated by a Christian religious figure registered with the Supreme Court. There are only a handful of ministers or priests registered in the country. The officiating church must submit details of a marriage from its registry to the*

Supreme Court within three months of the marriage ceremony solemnisation, and only the Supreme Court is permitted to recognize Christian marriages, making it nearly impossible for a Christian marriage to be legally recognized. Muslim marriages officiated by a mullah are recognized under the law with no court filing requirements.

- **Religious education:** the Ministry of Religious Affairs Department for the Perpetuation and Propagation of the Sasana (Buddhist teaching) oversees the government's relations with Buddhist monks and schools.
- **Religious gatherings:** *the regime enforced at least three different laws to limit gatherings, including religious gatherings. A gathering of five or more persons – including for religious reasons – could result in charges and punishment under a natural disaster management law (three months to three years' imprisonment or a fine, or both), a communicable diseases prevention and control law (six months' imprisonment or a fine), or Article 188 of the Penal Code – defiance of a government order (one to six months' imprisonment or a fine).*
- Penal code
 - **Buddhist monasticism:** only nine Buddhist monastic orders are deemed legal in the country. Being a member of any other order is banned. Violations of this ban are punishable by immediate public defrocking and criminal penalties.
 - **Citizenship law:** the election law states that a candidate's parents must be citizens at the time of the candidate's birth, and the citizenship of most Rohingya is denied, thus precluding Rohingya from candidate status.
 - **Criticism of religion:** under Myanmar law, insulting religion is a prosecutable offence. Insulting religion is a broad term, and can include any disrespectful depiction or image (including tattoos) of Buddha or other religious representation, or wearing any tattoo of Buddha anywhere below the waist.

- **Violation of political rights:** the law bars members of “religious orders” such as priests, monks, and nuns of any religious group, from running for public office, and the constitution bars members of religious orders from voting. More broadly, the government restricts the political activities and expression of the Buddhist clergy.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Myanmar to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Buddhists:** the government occasionally interferes with religious assemblies and attempts to control the Buddhist clergy.
- **Muslims:** *authorities discriminate against minority religious groups—particularly Muslims—in practice, refusing them permission to hold gatherings and restricting educational activities, proselytization, and construction and repair of houses of worship. Anti-Muslim hate speech and discrimination have been amplified by social media, and by some state institutions and mainstream news websites. The officially illegal Buddha Dhamma Parahita Foundation, formerly known as Ma Ba Tha, agitates for the protection of Buddhist privileges, urges boycotts against Muslim-run businesses, and disseminates anti-Muslim propaganda; respected mainstream monks such as Sitagu Sayadaw have also allegedly stoked religious hatred. Muslims face systematic discrimination in obtaining identity cards, and “Muslim-free” villages have been established with the complicity of officials.*
 - *In areas with few or no mosques, Muslims often conducted prayer services and other religious practices, such as teaching, in private homes. As the democratically elected government had done before it, the regime Ministry of Religious Affairs and Culture continued to restrict non-Buddhist religious teachings to government approved religious buildings and prohibited prayer services and religious teaching in private homes.*

Overview

- State privilege is granted to Buddhism.
- As a result, a system of partial recognition is in place because even though non-Buddhist groups may register and gain “official status”, this does not equate to the same level of recognition that Buddhism and Buddhist institutions receive.
- Christianity, Islam, Hinduism and Animism are given existential recognition but not to the same degree as Buddhism; any other groups may only gain a degree of recognition through legal registration.
- Recognition and registration are differentiated although the former is misused in a way that excludes belief systems and groups.
- The rule of mandatory registration violates the Bielefeldt provision.
- The state has its own interpretations of Buddhism which it uses to justify its banning of all monastic orders other than the orders it recognises.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present order that systemically controls religion and belief and uses brutal force to maintain this control including the discontinuation of the genocide against the Rohingya people.
- Establish a new recognition system that is inclusive of all belief systems and their derivatives, has provisions for both existential recognition and legal registration, and is able to conduct such recognition and registration at multiple levels of operation.
- Revoke and repeal current laws that terminally restrict religious activity and procedures for recognition.

Restriction tools implemented

- False claim to freedom of religion or belief.
- Government involvement in the internal affairs of religious organisations is commonplace.
- Hateful rhetoric is produced by the government directed towards the Muslim community.
- Mandatory registration for all religious groups to conduct any activities.
- Normativism is widespread which encourages the dissemination of anti-Muslim propaganda and the boycotting of Muslim businesses.
- Partial recognition is in effect.
- Persecution and genocide of the Rohingya Muslim minority is ongoing.
- Politicisation of religion and belief is widespread.
- Proselytism for non-Buddhists is severely restricted.
- Retributions for establishing an unrecognised Buddhist order include defrocking and criminal penalties (likely fines or imprisonment).
- State definitions and interpretations of Buddhism are in effect.
- State privilege is in effect.
- Violent repression by the government is used by way of the military and police force to maintain its control of society.

History of RoRB classification

- Myanmar has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Namibia, Republic of — Apathetic

RoRB and national identity

- The Constitution of Namibia makes an explicit claim to freedom of religion or belief and this right is broadly upheld in practice by the government.
- The Republic of Namibia is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Namibia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Namibia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups are not obligated to register with the government to operate although the laws do remain ambiguous.
 - **Legal designation:** there are two legal designations for religious groups. These are voluntary association and association without gain (or nonprofit organisations) which are tied to existential recognition and legal registration respectively. Religious groups registering as either designation are obliged to do so through the Ministry of Industrialisation, Trade, and SME (small to medium enterprise) Development.

- **Registration benefits:** religious groups registered as nonprofit organisations and religious groups formed as voluntary associations are exempt from paying taxes. If a religious group registers as a welfare organisation, it may seek to purchase land at a reduced rate.
 - Traditional authorities or town councils determine whether or not to grant the reduced rate based on whether the organisation’s use of the land will benefit the community.
- Evaluations
 - The imposition of a stipulatory registration policy in Namibia is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Namibia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** *similar to other foreigners seeking to work in the country, religious workers must obtain a work visa. There is no separate religious worker visa.*
 - *Religious leaders continued to state that they occasionally faced problems with the government regarding visas. Members of the Interfaith Council said that religious volunteers sometimes had difficulty obtaining visas, but they said this was due to general visa difficulties and their work not clearly falling into any of the country’s visa categories and not to the targeting of religious workers. The religious leaders stated*

nonreligious organizations and businesspersons also had difficulty obtaining visas.

- **Hieronymy:** the importation of religious materials or devotional items into Namibia is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Namibia's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Namibia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Namibia for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; provisions are given only for legal registration, none for existential recognition.
- There are two categories for legal registration: nonprofit organisations and voluntary associations; the degree to which these two forms of legal registration are equal remains unclear.

Positive elements

- Freedom of religion or belief is generally upheld by the government in practice.

Recommendations

- Establish distinct provisions for existential recognition which would establish a recognition system; the degree to which such a system is inclusive of “traditional religions” and NRMs will determine the country’s classification as either receptive or dynamic.
- Establish a recognition agency to manage this recognition system that acts and makes decisions independent of government.

Restriction tools implemented

- Ambiguity exists within the system, particularly regarding the equal standing of different forms of legal registration.
- Stipulatory registration.
- Unstructure exists in the system.

History of RoRB classification

- Namibia has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Nauru, Republic of — Restrictive

RoRB and national identity

- The Constitution of Nauru makes an explicit claim to freedom of religion or belief and this right is generally upheld in practice though with some infractions identified.
- The Republic of Nauru is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Nauru.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Nauru demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** religious groups are required to register with the government to legally engage in proselytism, to build places of worship, to hold religious services and to officiate marriages which are basic religious activities, making registration essentially mandatory.
 - **Membership quota:** at least 750 enrolled members.
 - **Qualifications:** owning land and a building the country as well as Nauruan member of the clergy (**nationality quota**) who resides in the country are all necessary qualifications set out for religious groups in a 2014 cabinet memorandum.

- *Although the law requires registration for religious groups to conduct a full range of activities, local religious leaders stated the government continued to require such recognition only if a denomination's clergy wished to officiate at marriages. Religious groups stated they could conduct most normal functions, including services and meetings, without registration. There were no reports the government discriminated in the registration process, although the requirements make it nearly impossible for any new group to register. Although the Church of Jesus Christ was, as in previous years, unable to register during the year, representatives of the Church stated it made progress towards registration and were optimistic the Church could obtain some form of official recognition after Covid-19 restrictions in the country are fully lifted.*
- **Registration rate:** the Catholic Church, Nauru Congregational Church, Assemblies of God, Nauru Independent Church, and Seventh-day Adventist Church are officially registered.
- Evaluations
 - The imposition of a mandatory registration order onto registrant religious groups is impermissible to RoRB standards.
 - The imposition of a membership quota is impermissible to RoRB standards.
 - The stipulated qualifications for registrant religious groups is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Nauru as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity

- **Hieronymy:** a religious group's importation of religious materials or devotional items into Nauru is permitted as long as the group is registered and hence may engage in proselytism and use such materials for propagational use. The importation of religious texts or devotional items for personal use is permitted.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Nauru's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Nauru to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Nauru for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated with a focus on the legal registration of religious organisations.
- The rule of mandatory registration violates the Bielefeldt provision.

Positive elements

- Nil.

Recommendations

- Establish structured provisions for existential recognition distinct from legal registration.
- Establish a recognition agency that is independent of government to manage the recognition system.
- Revoke the membership quota and nationality quota imposed.

Restriction tools implemented

- Ambiguity and vagueness exists within the legislation.
- Mandatory registration for all religious groups.
- Membership quotas are in effect.
- Proselytism is restricted, as is the building of places of worship and the holding of religious services.
- Unstructure exists within the system which is causing a lack of provisions.

History of RoRB classification

- Nauru has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Nepal, Federal Democratic Republic of — Censorious

RoRB and national identity

- The Constitution of Nepal makes a partial claim to freedom of religion or belief although this right is sometimes infringed upon the government in practice.
- The Federal Democratic Republic of Nepal is a secular state.
- However, the Constitution of Nepal extends state privilege to Hinduism and Hindu practices. Although a secular state, Nepal does maintain pro-Hindu laws such as a national ban on cow slaughter and laws prohibiting proselytism. Like the interim constitution before it, the 2015 constitution identifies Nepal as secular, signalling a break with the Hindu monarchy that was toppled after the 1996–2006 civil war and formally abolished in 2008.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Nepal.
 - **Re-establishment of Hinduism:** *leaders of the RPP outside of parliament continued their calls for the reestablishment of Hindu statehood, which was constitutionally abolished in 2007 in favour of a secular democracy, and advocated strong legal action against those accused of killing cows. Civil society leaders said influence from India's ruling party, the Hindu nationalist Bharatiya Janata Party (BJP), and other Hindu groups in India continued to pressure politicians in Nepal, particularly from the RPP, to support reversion to a Hindu state.*
 - **State privilege to Hinduism:** *according to legal experts and leaders of religious minority groups, the constitutional language on protecting the religion “handed down from the time immemorial” and the prohibition on conversion were intended*

by the drafters to mandate the protection of Hinduism. Christian religious leaders continued to state that the emphasis of politicians in the RPP on reestablishing the country as a Hindu state continued to negatively affect public perception of Christians and Christianity. The RPP held one seat in parliament during the year, and civil society sources stated that it used anti-Christian sentiment to garner populist support.

- Evaluations
 - The lack of existential recognition for belief systems and their communities in Nepal demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Exclusionary registration:** the law does not provide for registration or official recognition of religious organisations as religious institutions, except for Buddhist monasteries.
 - **Stipulatory registration:** Buddhist monasteries are not required to register with the government to operate although registration is a prerequisite for certain activities and benefits.
 - **Registration benefits:** government funding for maintenance of facilities, skills training for monks, and study tours.
 - **Procedure:** a monastery development committee under the Ministry of Culture, Tourism, and Civil Aviation oversees the registration process.
 - **Informational requirements:** requirements for registration include providing a recommendation from a local government body, information on the members of the monastery's management committee, a land ownership certificate, and photographs of the premises.
 - **Registration benefits:** own land or other property, operate legally as institutions, or gain eligibility for public service-related government grants and partnerships.

- **Legal designation:** non-governmental organisation or nonprofit organisation.
- **Procedure:** there is no distinction made between procedures for secular and religious organisations.
- **Informational requirements:** preparation of a constitution and furnishing information on the organisation's objectives as well as details on its executive committee members.
- **Reregistration:** to renew the registration, which must be completed annually, organisations must submit annual financial audits and activity progress reports.
 - *Religious leaders said the requirement for NGOs to register annually with local government authorities placed their organizations at political risk. Civil society organizations reported that religiously affiliated organizations, including several with long histories of work in the country, had difficulty renewing their registrations. During the first six months of the year, multiple religiously affiliated organizations reported lengthy delays, onerous requests for changes beyond those necessary to meet the requirements of law, and lack of transparency when renewing or registering their organizations.*
- **Registration rate:** according to the Center for Education and Human Resource Development (previously the Department of Education), which is under the Ministry of Education, Science, and Technology, the number of gumbas (Buddhist centres of learning) registered remained the same at 114. There were 105 gurukhuls (Hindu centres of learning) registered during the year, compared with 104 in 2020. According to the Center for Education and Human Resource Development, the number of madrassahs registered with district education offices remained unchanged at 911. Some Muslim leaders stated that as many as 2,500 to 3,000 full-time madrassahs continued to be unregistered. According to religious leaders, many madrassahs, as well as full-time Buddhist and Hindu schools, continued to operate as unregistered entities because school operators hoped to avoid government audits and having to use the Center for Education and Human Resource Development's established curriculum. They said some schools also wished to avoid the registration process, which they characterized as cumbersome.

- Evaluations
 - The imposition of an exclusionary registration is impermissible to RoRB standards.
 - There is insufficient distinctions between secular and religious organisations.
 - The notion of land or property ownership is a registration benefit is impermissible to RoRB standards.
 - Annual reregistration policy is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Nepal as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: rules surrounding the importation of religious materials or devotional items into Nepal for propagational use remain unclear following the 2017 ban on proselytism. However, importing religious materials and items for personal use is permitted.
 - **Religious holidays**: *on December 24, the government declared Christmas a public holiday. The government allowed Christians and Muslims time off from work to celebrate major holidays, recognized Eid al-Adha as a public holiday, and continued to recognize Buddha's birthday as a public holiday.*
- Penal code
 - **Proselytism**: proselytising is prohibited under a 2017 law.
- Facilitation of religion or belief

- **Ombudsmanship:** the Commission for the Investigation of Abuse of Authority acts as the ombudsman office against occupation and also the National Vigilance Center (NVC) acts as a second ombudsman office under supervision of the Prime Minister. It is likely the second of the two offices that deals with human rights complaints but the role of the office in this regard still remains unclear.

Social dimensions of RoRB

- **Christians:** proselytising is prohibited under a 2017 law, and some Christians have been prosecuted under this law.
- **Muslims:** Muslims in Nepal are particularly impoverished, occupying a marginalised space.

Overview

- There exists no state procedures for the recognising or registering of entities as religious entities.
- Recognition and registration are amalgamated with a focus placed on the latter as legal registration; however, this registration procedure is not distinct for religious entities as secular entities may also use it.
- Exemptions for Buddhist monasteries suggest a degree of bias within the system in favour of Buddhist institutions; informational requirements for the monastery development seem appropriate but will require continued monitoring to ensure these are not expanded or are misused.

Positive elements

- Nil.

Recommendations

- Establish a recognition system that possesses within its capacities means to existentially recognise and legally register all religious

entities simultaneously and a different levels of operation and activity; to become receptive, this system would need to be inclusive of all belief systems and would need to treat all applicants and entities equally regardless of their affiliations.

- Repeal laws restricting proselytism and any policies of reregistration.

Restriction tools implemented

- Ambiguity exists within the legislation.
- Proselytism is restricted under a 2017 law.
- Reregistration restriction tool is in effect but only within a stipulatory framework.
- Stipulatory registration.
- Unstructure exists within the system which has caused a lack of provisions for existential recognition.

History of RoRB classification

- Nepal was classified Restrictive in the SRR in the first edition of the RoRB Index in 2021.
- However, the 2022 RoRB Index reclassifies Nepal downwards as a Censorious country.

Netherlands, Kingdom of the (including Bonaire, Saba and Sint Eustatius) — Apathetic

RoRB and national identity

- The Dutch Constitution makes an explicit claim to freedom of religion or belief, a claim that is broadly upheld by the state in practice.
- The Netherlands is a secular state.
- Non-percolative recognition is in effect for constituent countries of Aruba, Curaçao and Sint Maarten; percolative recognition is in effect for the overseas Caribbean municipalities for Bonaire, Saba and Sint Eustatius in turn classifying them as apathetic also.

Recognition law

- Structures and procedures for existential recognition
 - There is no recognition system existent in the Netherlands.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in the Netherlands demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the law does not require religious groups to register with the government in order to conduct “basic religious activities”.
 - **Qualifications for tax-exempt status:** under the law, if the tax authorities determine a group is “of a philosophical or religious nature,” contributes to the general welfare of society, and is nonprofit and nonviolent, they grant it

exemptions from all taxes, including income, value-added, and property taxes.

- Evaluations
 - The imposition of a stipulatory registration policy is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in the Netherlands as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign funding:** *in response to a parliamentary request to screen foreign funding of mosques and Islamic institutions in order to counter what he said was the influence of Salafist and extremist ideology, Minister for Legal Protection Sander Dekker proposed legislation on June 8 that would require oversight of all donations from outside the EU to any civil society organization. Dekker rejected a parliamentary proposal to include an index of “unfree countries” that could be influencing the Netherlands through funding. He said, however, “Propagating hatred against dissenters, inciting violence and extremism, or spreading anti-democratic ideas, there is no place for that in the Netherlands. Organizations that are involved in this must be fought vigorously.” As of year’s end, the bill had not been put forward for parliamentary debate.*
 - **Foreign missionary activity:** *the government continued to require imams and other spiritual leaders recruited from abroad*

to complete a course on integrating into Dutch society before preaching in the country. This requirement did not apply to clergy from EU countries and countries with association agreements with the EU, such as Turkey, whose Religious Affairs Directorate appointed approximately 140 Turkish imams to serve in the country. The government continued to sponsor leadership courses intended to facilitate imam training in Dutch.

- **Hierony:** the importation of religious materials or devotional items into the Netherlands, Bonaire, St Eustatius and Saba is permitted without restriction, both for personal and propagational use.
- **Proselytism:** *the Central Body for Accommodating Asylum Seekers, the agency charged with overseeing asylum centres, said it prohibited religious proselytising in the centres to avoid inflaming tensions among different religious groups housed together in an already sensitive environment. Other than inside the asylum centres, the government permitted proselytising within society.*
- **Religious instruction:** the freedom to create religious schools, traditionally considered an important component of freedom of religion, was challenged in mainstream debate with respect to Islamic establishments, after the government antiterrorism agency claimed that teachers at one secondary school in particular seemed to foment hatred towards nonbelievers and rejection of a pluriform society. This caused a significant controversy, especially after the school was refused government funding, but this step was annulled in an administrative court decision in November 2019.
- **Religious sabbath:** *the law permits employees to refuse to work on Sundays for religious reasons, but employers may deny employees such an exception depending on the nature of the work, such as employment in the health sector. Members of religious communities for whom the day of worship is not Sunday may request similar exemptions.*

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of the Dutch penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is an office of National Ombudsman which was established in 1983 and deals with complaints levied against the government and other public entities, including accusations of human rights violation.

Social dimensions of RoRB

- **Muslims:** a prohibition of burqas and niqabs in public establishments and on public transport came into force in August 2019. Little to no enforcement by the agencies involved and by law enforcement was reported.
 - *Local governments continued to provide security to mosques and Islamic institutions as necessary, and local authorities worked with Islamic institutions on enhancing the security of mosques and other religious institutes, as well as their visitors. The national government continued to support this local approach and developed materials to assist religious institutes and local governments in implementing such measures. The national government continued to disseminate the 2019 “Security of Religious Institutes” manual, which was developed in consultation with the Muslim community, local governments, and police.*
 - *Authorities said the government continued working with various Muslim communities to reinforce their “resilience” against Salafist doctrine, including meeting with community representatives to discuss the challenges faced by mosques, providing training on how to recognize signs of radicalisation, and supporting Muslim youth exposed to polarisation, radicalisation, and extremism.*

Overview

- There exists no recognition system in the Netherlands; there exists no procedures of existential recognition or legal registration.
- To gain any semblance of recognition, a religious organisation may apply for tax-exempt status.
- A lack of provisions of exist both for legal registration and existential recognition in the country which may be contributing to the rise of intolerance of religious pluralism in the country.

Positive elements

- Freedom of religion or belief is broadly upheld by the government although issues of religious freedom remain in the social fabric.
- Horizontal recognition exists in the sense that tax-exempt religious organisation are regarded in the same way regardless of their beliefs and affiliations.

Recommendations

- To become Receptive, establish a recognition system that has the capacity to bestow existential recognition and legal registration simultaneously for all belief systems and their derivatives and at different levels of activity and operation.
- To become Dynamic, establish a recognition agency that manages the established recognition system and acts and makes decisions independent of the government.

Restriction tools implemented

- Non-existence of a recognition system and therefore no means of existential recognition or legal registration.
- Stipulatory registration.
- Subjective language is used in the requirements for the process for tax-exemption.

History of RoRB classification

- The Netherlands has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

New Caledonia — Receptive

RoRB and national identity

- Non-percolative recognition is in effect in this French special collectivity.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in New Caledonia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in New Caledonia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - Insufficient reliable information exists for registration procedures for religious groups in New Caledonia as of the writing of the First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Communal activity
 - **Hieroncy**: the importation of religious materials or devotional items into Metropolitan France and Overseas France is permitted without restriction, both for personal and propagational use.

- Facilitation of religion or belief
 - **Ombudsmanship:** it is possible that the French ombudsperson holds jurisdiction here as New Caledonia is part of Overseas France.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in New Caledonia for this First Edition of *Recognition of Religion or Belief*.

Overview

- Classified as receptive due to much of its law taking inspiration from French law.

History of RoRB classification

- New Caledonia has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

New Zealand — Restrictive

RoRB and national identity

- The Constitution of New Zealand makes an explicit claim to freedom of religion or belief, a right that is broadly upheld in practice by the government.
- New Zealand is a secular state.
- Non-percolative recognition is in effect in Tokelau as New Zealand law regarding religious recognition does not apply to the territory; the same applies to the self-governing free association states of Niue and the Cook Islands.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in New Zealand.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in New Zealand demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not require religious groups to register, the fact that registration is a prerequisite for collecting donations, which is classified in RoRB standards as a basic religious activity, demonstrates that the New Zealand registration policy is essentially mandatory.

- **Registration benefits:** to collect money for any charitable purpose, including the advancement of its religion, or to obtain tax benefits.
 - **Legal designation:** charitable trust is how religious groups are referred to in law.
 - **Procedure:** an application must be submitted to the Department of Internal Affairs. There is no fee for registration and the process is not onerous.
 - **Informational requirements:** the rules of the organisation showing it is a nonprofit organisation and a list of officers free from conflict of interest who will not put their own interests above the organisation.
 - **Registration fees:** there are no fees for the legal registration of religious groups.
- Evaluations
 - The government's imposition of a pseudo-mandatory registration policy is impermissible to RoRB standards due to the fact that registration is a prerequisite to a religious group being able to collect donations or any funds.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in New Zealand as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into New Zealand is permitted without restriction, both for personal and propagational use.
- Penal code

- There is nothing of particular concern to RoRB standards in the present version of New Zealand's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** an ombudsperson post for New Zealand was established in 1962 and the position was expanded in 1975. There is also a Children's Commissioner and ombudspersons for different industries.

Social dimensions of RoRB

- **Christians:** *in April, press reported comments from the head of the Barnabas Fund, a global nongovernmental organization that advocates on behalf of persecuted Christians worldwide. Her comments were in support of a 2019 petition submitted to parliament requesting review of whether legislative changes were needed to better protect religious freedom. This included the freedom to preach with efforts to persuade others of the truth of one's beliefs, the freedom to read the Bible in public, and the freedom to interpret the Bible without government interference. Johnston said, "People who have chosen a form of religion must not be marginalised or disadvantaged. We'd like to ask for a formal government review of ...freedom of religion...and whether any group, for example, Christians, may be falling through the cracks and their rights being neglected, sidelined, or undermined."*

Overview

- There is no recognition system in New Zealand; hence, there is no means for existential recognition or legal registration in the country; religious groups may receive only a semblance of recognition by way of obtaining tax-exempt status.
- Mandatory registration for groups to collect any types of funds is a violation of the Bielefeldt provision.

Positive elements

- Freedom of religion or belief is widely upheld by the government in practice.

Recommendations

- Revoke the issue of pseudo-mandatory registration.
- To become Receptive, establish a recognition system that has the capacity to bestow existential recognition and legal registration simultaneously for all belief systems and their derivatives and at different levels of activity and operation.
- To become Dynamic, establish a recognition agency that manages the established recognition system and acts and makes decisions independent of the government.

Restriction tools implemented

- Mandatory registration due to the requirement for religious groups to register to collect any type of funds; this makes New Zealand's classification descend to restrictivity; religious groups heavily depend on donations for their very existence which means that New Zealand's stipulation of registration for the conduct of donations is a restrictive policy as it limits the very existence of religious organisations.
- Non-existence of a recognition system has caused instances of unstructure.

History of RoRB classification

- New Zealand has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Nicaragua, Republic of — Restrictive

RoRB and national identity

- The Constitution of Nicaragua makes an explicit claim to freedom of religion or belief and this right is generally upheld in practice by the government but with some infractions
- The Republic of Nicaragua is a secular state.
- However, the government extends state privilege to the Catholic Church via its establishment of a concordat — a type of bilateral cooperation agreement — with the government.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Nicaragua.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Nicaragua demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** registration does not seem to be a prerequisite for conducting basic religious activities although the mandatoriness of registration remains ambiguous by the fact that the Catholic Church is not required to register which suggests that all other groups are required.
 - **Procedure:** there is a little distinction made between procedures and requirements for registration of religious and secular groups. The National Assembly must approve a

group's application for registration or legal standing. Following registration, religious groups are subject to the same regulations as other NGOs or associations, regardless of their religious nature.

- **Legal designation:** either association or non-governmental organisation (NGO).
 - **Informational requirements:** a completed application form, articles of association, and designation of officers.
 - **Registration benefits:** to incur legal obligations, enter into contracts, and benefit from tax and customs exemptions.
 - **Exemptions from registration:** The Catholic Church is not required to register as a religious group because its presence in the country predates the legislation; however, the government requires organisations dedicated to charity or other social work affiliated with the Catholic Church to register.
- Evaluations
 - The imposition of a stipulatory registration policy in Nicaragua is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.
 - To exempt the Catholic Church from registration despite still receiving registration benefits while other religious groups are required to register to receive such benefits is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Nicaragua as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity

- **Broadcasting:** according to press reports, on November 9 2021, the government cancelled the operating license of evangelical Protestant television Channel 21, the only channel in the country that since 1991 exclusively broadcast local and foreign evangelical programs. Telecommunications regulator TELCOR cited alleged irregularities in Channel 21's operations after TELCOR officials made an unannounced visit to the television station. TELCOR revoked Channel 21's broadcasting license and took the channel off the air the same day. Channel 21 denounced what it called the government's arbitrary decision to revoke its license. TELCOR also revoked the operating license of evangelical Protestant radio station Nexo 89.5 FM the same day. Channel 21 and Nexo 89.5 FM were owned by family members of evangelical pastor Guillermo Osorno, who ran as presidential candidate in the November election. The closure of the channel and radio station occurred the day after Osorno gave a press conference in which he denounced irregularities in the electoral process.
- **Foreign funding:** according to a 2020 law, organizations and persons receiving resources of foreign origin must not participate in internal politics. If the government finds any person or entity in violation of the law, the person or entity could be fined, imprisoned, or have their assets frozen or confiscated. The law excludes accredited religious organizations from the requirement to register with the Ministry of Interior. By law, those receiving exemptions may not participate in activities that would interfere in the country's affairs.
- **Foreign missionary activity:** missionaries must obtain religious worker visas and provide information regarding the nature of their missionary work before the Ministry of Interior will authorize entry into the country. A locally based religious organization must provide documentation and request travel authorization from the Ministry of Interior seven days prior to the arrival of the visiting person or religious group. The process generally takes several weeks to complete.
 - On March 8 2021, the Justice and Peace Commission of the Archdiocese of Managua issued a statement expressing concern regarding new government limitations on residence

permits for missionaries. Local media reported that immigration authorities denied entry to two Franciscan friars, Santos Fabian Mejia Sagastume and Javier Lemus, who had resided in the country as missionaries for many years and were citizens of El Salvador. Immigration authorities denied entry to Mejia Sagastume on January 31 2021. They notified him that he was “not eligible for entry” and suspended his residency. On February 16 2021, immigration authorities also denied Lemus entry into the country.

- *On April 30 2021, immigration authorities notified Friar Damian de Cosme Muratori, originally from Italy and who had lived and served in Nicaragua for 45 years, that his residence permit would not be renewed and that he was only authorized a 90-day stay in the country. Muratori told media he had renewed his residence permit on an annual basis without problems since 1976. Muratori received two 90-day extensions to stay in the country. In both instances, his resident status remained uncertain until the day before his extensions expired, at which point immigration authorities would inform him of a decision to renew his residency, grant an extended 90-day stay, or deport him from the country. He remained in the country at year’s end.*
- *The government continued to restrict travel selectively for some visa applicants intending to visit the country for religious purposes based on the perceived political affiliation of the applicant’s local sponsor. According to Catholic clergy, a 2016 regulation instructing all churches to request entry authorization for their missionaries or religious authorities continued in effect.*

- **Hieronymy:** *the importation of religious materials or devotional items into Nicaragua is permitted without restriction, both for personal and propagational use.*
- **Operational limitations:** *religiously affiliated NGOs continued to face operational limitations. The Interior Ministry continued to deny or delay legally required annual operations permits and tax exemption approvals. Sources reported that the Interior Ministry continued to deny Caritas, an international Catholic NGO accredited to the country since 1965, its legally entitled*

tax exemptions, a practice since 2018. Since 2019, Caritas informed donors to stop sending donations because it was unable to retrieve them from Customs. Caritas continued to report that since 2018, it had not received its annually renewable certificate from the Ministry of Interior, which technically authorized it to operate in the country. Caritas sources continued to say the failure to renew the certificate impeded it from receiving tax exemptions, prohibited the importation of materials, and hindered its ability to bring in medical missions as part of its social services. Caritas further reduced its social services because of harassment from government supporters in the communities where it worked.

- **Pastoral services:** *Catholic clergy continued to report that the government denied access to prisons following the 2018 prodemocracy uprising. Reportedly only one priest was allowed access to prisons during the year. Prior to April 2018, clergy said they regularly entered prisons to celebrate Mass and provide communion and confession to detainees. According to human rights organizations, from May to October, police imprisoned 39 citizens, including opposition leaders, journalists, and human rights defenders. Human rights organizations described their detention as arbitrary and categorised them as political prisoners. Several of these prisoners requested Bibles through family visits, but prison authorities denied these requests.*

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Nicaragua's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Nicaragua to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians:** *religious freedom was generally respected prior to the 2018 crisis, though some Catholic and evangelical church leaders had reported retaliation by the government for criticism of the Ortega administration, including the confiscation or delay of imported goods and donations. Since the political crisis ignited, however, church officials have been denounced and smeared by authorities for accompanying or defending antigovernment protestors, pro-government mobs have attacked churches where antigovernment protesters were sheltering, and members of the clergy have received threats and experienced surveillance. There have been reports that Ortega supporters have infiltrated parishes and harassed or intimidated parishioners at church services. In 2020, Ortega accused local bishops of participating in a plot to overthrow him, and the United States' Commission for International Religious Freedom (USCIRF) released a report expressing concern about the repression of Catholics. Faith leaders have criticised attempts by the Ortega administration to co-opt religious belief for political ends. The government has required public employees to attend government-sponsored religious festivals, making them miss official Catholic Church events.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration rather than existential recognition; a system of partial recognition exists due to the fact that the Catholic Church has a concordat with the government, a type of agreement that no other groups have currently.
- It remains unclear whether procedures for religious entities are distinct from those of secular entities.
- The degree of accessibility for non-Catholic organisations to establish bilateral cooperation agreements with the government remains unclear.
- The parliament of the country voting on the registration applications of religious groups politicise a process that should remain ectopolitical (beyond politics).

- Informational requirements seem appropriate but require continued monitor to ensure they are not expanded any further or misused.
- The multi-step process of registration is restrictive by its nature.
- It remains unclear as to whether the procedures for registering religious entities and secular entities are distinguished.

Positive elements

- Nil.

Recommendations

- To become Receptive, establish a recognition system that has the capacity to bestow existential recognition and legal registration simultaneously for all belief systems and their derivatives and at different levels of activity and operation.
- Remove all instances of politicisation in the registration system.

Restriction tools implemented

- Multi-step process of registration, particularly as it requires communications with two or more separate governmental ministries is restrictive.
- Partial recognition is in effect.
- Politicisation of religion and belief is has been widespread since 2018, particularly with parliament's voting on registration applications.
- Stipulatory registration, yet remains ambiguous.

History of RoRB classification

- Nicaragua was originally classified Restrictive in the SRR in the 2021 RoRB Index and continues to be so classified in the 2022 RoRB Index.

Niger, Republic of the — Restrictive

RoRB and national identity

- The Constitution of Niger makes an explicit claim to freedom of religion or belief and equality regardless of religion or belief although this claim is infringed upon by the government in practice.
- The Republic of Niger is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Niger.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Niger demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government requires religious groups to register with it.
 - **Legal designation:** religious groups are understood in legal terms as non-governmental organisations (NGOs); only registered organisations are legally recognised entities. Non-registered groups are not legal entities and are not permitted to operate.
 - **Procedure:** groups must register with the Ministry of Interior's Customary and Religious Affairs Office.
 - **Informational requirements:** submission of required legal documents, including the group's charter, minutes of the

group's board of directors, annual action plan, and list of the organisation's founders.

- **Unregistration:** some unregistered religious organisations reportedly operate without authorization in remote areas.
- **Probationary legal status:** registered religious groups wishing to obtain permanent legal status must undergo a three-year review and probationary period before the Ministry of Interior's Customary and Religious Affairs Office may grant a change in legal status from probationary to permanent.

- Evaluations

- The imposition of a mandatory registration order onto registrant religious groups is impermissible to RoRB standards.
- The imposition of a three-year review and probationary period before achieving permanent legal status in the country is impermissible to RoRB standards.
- The lack of distinction between secular and religious organisations in the legal framework in Niger is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is insufficient information regarding self-identification in Niger as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity

- **Censorship of Islam:** *the government provided guidance on sermons and banned some religious leaders from preaching for violating the guidelines, including Cheikh Assoumana Mahamadou from the Dan Gao neighbourhood in Niamey, who was jailed in July 2020 and banned from preaching. The government also instructed the state-run media to boycott Cheikh Mahamadou.*

- **Foreign funding:** *government officials continued to express concern regarding funding from foreign government sources for the construction of mosques and the training of imams, but according to observers, the government had insufficient resources to track the extent of the funding and fully understand its consequences.*
- **Foreign missionary activity:** *there are no restrictions on the issuance of visas for visiting religious representatives; however, the long-term residency of foreign religious representatives must be approved by the Ministry of Interior.*
- **Hierarcy:** the importation of religious materials or devotional items into Niger is permitted without restriction, both for personal and propagational use. It is possible that registration is a precondition for a religious group to import religious materials and related items for propagational items.
- **Increased restrictions:** in 2019, citing security concerns, the government adopted a new law that imposed greater control over religious activities, including building worship places, preaching, and religious education.
- **Places of worship:** government regulation and approval of the construction of places of worship and oversight of financial contributions for the construction of religious venues.
- **Religious conversion:** there is no legal restriction on private, peaceful proselytization or conversion of an individual from one religious faith to another as long as the group sponsoring the conversion is registered with the government.
- **Security concerns:** the government prohibits open air, public proselytization events by all religious groups due to expressed safety and security concerns.

- **Special permit:** the Ministry of Interior requires clerics speaking to a large national gathering either to belong to a registered religious organisation or to obtain a special permit.
- Penal code
 - **Public order narrative tool:** the law on the organisation and practice of religion, passed and ratified in 2019, reaffirms existing laws on freedom of religion, as long as religion is exercised respecting “public order and moral good.”
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Niger to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians:** the rise of militant groups has increased the threat of violence against Christians.
- **Islamist extremism:** *according to the government, media, and religious groups, the country had become a focal point for Islamist armed groups. Following rapid growth of Wahhabism in the country, the government in recent years sought to standardise Islamic practices through the creation of an Islamic forum of more than 50 national Islamic organizations. The government established the Islamic Forum in 2017 to standardise the practice of Islam and prevent the spread of Islamic extremism. As part of its effort to stop the spread of Wahhabism, the government used provisions of the 2019 law to investigate and control the sources of funding of religious denominations.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; likely due to the country’s affirmation of secularity,

it places a focus on legal registration with little to no means for existential recognition.

- Government oversight of places of worship is not necessarily inappropriate as long as the government does not make undue impediments on how religious groups operate or style their places of worship; the degree of government involvement must be monitored to identify instances of abuse.
- There should be a separate legal category and separated procedures for registration for religious entities from secular entities although this is not practiced in Niger.
- Informational requirements look to be appropriate although require continued monitoring to ensure they are not unduly expanded.
- The rule of mandatory registration violates the Bielefeldt provision.
- The three year probationary period is excessive and is not something that group's should be subjected, especially under the spirit of the Durham principles.
- Ongoing Islamist militant activity in the country should be resolved through mutual recognition, diplomacy, a more sophisticated system of religious education, and the government's spreading of the message of diversity and religious pluralism.

Positive elements

- Nil.

Recommendations

- To become Receptive, establish a recognition system that is able to recognise and register simultaneously and at multiple levels; revoke mandatory registration.
- Revoke government regulation of places of worship and temporary registration in the form of probationary legal status.

Restriction tools implemented

- Conversion laws are oriented on the notion of the group's registration with the government in order for the conversion to be acceptable.
- Mandatory registration for all religious groups.
- Public speaking on religious topics requires a permit or to belong to an already registered religious organisation.
- Restrictions on proselytism have been put in place in recent years citing safety concerns.
- Subjective language in the legislation is vulnerable to misuse by the government to restrict reasonable religious activity.

History of RoRB classification

- Niger has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Nigeria, Federal Republic of — Censorious

RoRB and national identity

- The Constitution of Nigeria makes an explicit claim to freedom of religion or belief although this right is regularly infringed upon by the government in practice.
- The Federal Republic of Nigeria is a secular state.
- **Localised state religion:** however, state and local governments have been known to endorse de facto official religions in their territory (such as in Kano state), placing limits on religious activity despite the fact that the federal government remains secular.

Recognition law

- Structures and procedures for existential recognition
 - At the federal level, there are currently no distinct procedures for the existential recognition of belief systems or their communities in Nigeria.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Nigeria demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups needs only register to receive certain benefits.
 - **Registration benefits:** to build places of worship, open bank accounts, receive tax exemptions, or sign contracts.
 - **Legal designation:** incorporated trustee.

- **Procedure:** an application must be submitted to the Corporate Affairs Commission.
- **Registration fee:** a fee of 20,000 naira (\$55).
- **Informational requirements:** proof of public notice, a copy of the organisation’s constitution, and a list of trustees.
- **New restrictions:** *on August 7 2020, President Muhammadu Buhari signed into law the Companies and Allied Matters Act of 2020 (CAMA), which streamlines procedures for and increases the ease of doing business in the country by outlining management responsibilities of businesses and organisations. The law contains provisions that, according to some legal scholars, could place some smaller religious organisations under the administrative control of the government.*
 - *While the CAMA law enacted in 2020 allowing the government to intervene in the management of private entities neither specifically addresses nor exempts nonprofit, nongovernmental, or religious organizations, nor contains language about religion, some NGOs and religious organizations continued to express concern about the law. CAN and the NIREC continued to state that the law might allow the government to exert administrative control over smaller religious organisations that are organised as NGOs or as small religious schools with high tuition costs that are not legally considered charities. They said such state control would infringe on constitutional rights of association and freedom of religion, although no such cases were reported during the year. According to some legal scholars, the law was enacted to counter fraudulent NGOs that have served as fronts for money laundering or other criminal behaviours. CAN sued the federal government over the law in February, and the case remained in litigation at year’s end.*

- Evaluations

- The imposition of a stipulatory registration policy in Nigeria is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities”

such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.

- The potential for new 2020 regulations to increase government control over smaller religious groups is impermissible to RoRB standards.
- The imposition of a registration fee below the \$100 threshold set by RoRB standards is permissible.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Nigeria as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Censorship of Islam:** *in February 2021, Kano State authorities banned well known Muslim cleric Sheikh Abduljabbar Nasiru-Kabara from preaching following complaints from the Kano Ulama Council that his sermons would disturb the peace. In July, after he participated in a televised, three-hour debate in which he expounded on his religious views, Kano State authorities detained Nasiru-Kabara and charged him with blasphemy, saying statements he made during the broadcast insulted Islam. Authorities also ordered the closure of his mosque and affiliated religious schools and prevented his followers from protesting and carrying out the community’s annual Mauqibi religious festival procession. At year’s end, Nasiru-Kabara remained in detention, and his trial had not yet been scheduled.*
 - **Hieronymy:** the importation of religious materials or devotional items into Nigeria is permitted without restriction, both for personal and propagational use. Restrictions or outright prohibitions are likely to be imposed on atheist literature. States that are run according to Sharia law, even in

a way that is *de facto*, are likely to impose restrictions on non-Islamic religious literature intended for propagational use.

- **Local religious ministries:** the states of Bauchi, Borno, Katsina, and Yobe maintain state-level Christian and Muslim religious affairs ministries or bureaus with varying mandates and authorities, while many other state governors appoint interfaith special advisers on religious affairs. In the states of Kano and Zamfara, state-sanctioned Hisbah Boards regulate Islamic religious affairs and preaching, license imams, and attempt to resolve religious disputes between Muslims in those states.
- **Licensing:** several states have laws requiring licenses for preachers, places of worship, and religious schools of registered religious groups. In Katsina State, the law establishes a board with the authority to regulate Islamic schools, preachers, and mosques, including by issuing permits, suspending operations, and imprisoning or fining violators.
- **Pilgrimage:** *the Judaism Fellowship Initiative of Nigeria, representing more than 50 Nigerian Jewish and Judaic-oriented congregations, requested the government organise and facilitate pilgrimages for Jews to Jerusalem as the National Hajj Commission does for Muslims to travel to Mecca and state and federal government Christian Pilgrims Welfare Boards do for Christians to Jerusalem, parts of Jordan, and Rome.*
- Penal code
 - **Operating licence:** the Katsina law stipulates a punishment of one to five years in prison, a fine of up to 500,000 naira (\$1,300), or both for operating without a licence.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Nigeria to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Atheists:** individuals who express non-belief can face legal consequences. In April 2020, Mubarak Bala, a humanist, was arrested in Kaduna State for social media comments criticising Islam. Bala, who was charged with blasphemy, was transferred to Kano State, and remained detained at year's end.
- **Restrictions:** the government has also embarked on crackdowns against religious groups that have questioned its authority.
- **Terrorism:** Nigeria has been locked in a long struggle against Boko Haram, a militant group that has itself targeted moderate Muslims and Christians along with their respective houses of worship.
 - *The government's conflict with the IMN, a Shiite Muslim group that advocates for Islamic rule in Nigeria, escalated in August 2019, when an Abuja court banned it and labeled it a terrorist organisation. The move came after the IMN and security forces in Abuja clashed that July. The IMN considers its leader, Sheikh Ibrahim el-Zakzaky, to be the ultimate source of authority in Nigeria, and does not recognize the government in Abuja. The government has responded violently to IMN activity in recent years. In 2015, security forces raided el-Zakzaky's compound, arrested him and his wife, and killed at least 300 IMN members. Dozens more were killed in a 2018 army operation. Despite a 2016 court order to release him, el-Zakzaky and his wife were only freed in 2019 to seek medical attention in India. El-Zakzaky elected to return to custody in Nigeria, claiming his medical team was altered without his permission and objecting to security restrictions in India. In November 2020, the Nigerian Guardian newspaper reported that a homicide trial against el-Zakzaky and his wife had begun in the Kaduna High Court.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; at the national level, the primary means of gaining recognition is by way of legal registration.
- Informational requirements for registration seem appropriate but will require continued monitoring to ensure they are not unduly expanded and are not misused by the state.
- Restrictions on religious activity vary from state to state which causes significant confusion and often contradictions exist between provincial and national authorities.
- Ongoing Islamist militancy spearheaded by groups like Boko Haram in the country have cause widespread fear in society and social discord, especially leading to inter-religious tensions.
- A unique situation of de facto state religion has been identified as occurring in some states which has caused significant restrictions on minority religious activity.

Positive elements

- Nil.

Recommendations

- Dismantlement of the present apparatus of restrictions and policies put in place to inhibit certain forms of religious activity.
- Establishment of a recognition system whose decisions about recognition and registration permeate nationally in order to resolve inconsistencies between states that continue to plague the country's unity.
- Establish a recognition agency that is able to act independent of government to manage recognition.

Restriction tools implemented

- A 2020 that has the potential place small religious organisations under government control is concerning.
- Brutal forces from the authorities to crack down on religious extremism has been reported numerously in recent years.

- De facto state religion or de facto state denomination has been reported.
- Government interference in the internal affairs of religious organisations is widespread; particularly, in the states of Kano and Zamfara, state-sanctioned Hisbah Boards regulate Islamic activities according to state interpretations of Islam.
- Requirements of licenses for preaching, proselytism, the operation of places of worship and religious schools are all violations on freedom of religion.
- Retributions for expression of non-belief include arrest, imprisonment and detention.
- State definitions and interpretations of religions.
- Stipulatory registration.
- Unregistration leads to fines in Katsina State.

History of RoRB classification

- Nigeria was classified Terminal in the SRR in the first edition of the RoRB Index in 2021.
- However, the RoRB Index for 2022 reclassifies Nigeria upwards as a Censorious country.

Niue — Apathetic

RoRB and national identity

- The Constitution of Niue does not make a claim to freedom of religion or belief, making Niue one of the few territories in the world not to make such a claim; there is also no legislation to prohibit discrimination based on religion or belief.
- Niue is a secular territory.

Recognition law

- Structures and procedures for existential recognition
 - New Zealand law on religious recognition is not applied in Niue as it is a self-governing state in free association with New Zealand.
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Niue.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Niue demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in Niue as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Niue as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Niue is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Niue's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Niue to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Niue for this First Edition of *Recognition of Religion or Belief*.

Overview

- Makes no claim to freedom of and belief in its constitution and discrimination based on religious affiliation and belief remains unaddressed; yet, there exists no restricting religious activity.
- There also does exist laws banning fishing and the showing of films on Sundays for respect of the Christian sabbath.
- Unsure of the existence of a recognition system.

Restriction tools implemented

- Ambiguity regarding the recognition and registration procedures; unstructure.

- Non-percolative recognition.

History of RoRB classification

- Niue has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Northern Ireland — Apathetic

RoRB and national identity

- The Equality Commission of Northern Ireland proactively upholds the principle of freedom, of religion and belief.
- Northern Ireland is a secular country of the United Kingdom.

Recognition law

- Structures and procedures for existential recognition
 - English law on religious recognition is not applied in Northern Ireland.
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Northern Ireland.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Northern Ireland demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in Northern Ireland as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Northern Ireland as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Northern Ireland is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Northern Ireland's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Northern Ireland to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Northern Ireland for this First Edition of *Recognition of Religion or Belief*.

Overview

- Non-existence of a recognition system; Northern Ireland is classified as apathetic although it is part of a sovereign state, the United Kingdom, that is classified as restrictive.

Restriction tools implemented

- Non-percolative recognition.

History of RoRB classification

- Northern Ireland has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

North Macedonia, Republic of — Receptive

RoRB and national identity

- The Constitution of North Macedonia makes an explicit claim to freedom of religion or belief, a claim that is generally upheld in practice by the government.
- The Republic of North Macedonia is a secular state.
- The government extends state privilege to the Macedonian Orthodox Church and a lesser degree of state privilege to Catholicism, Islam, Judaism and Methodism.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in North Macedonia.
 - **State privilege:** *the EMC said the government extended more privileges to the MOC-OA and the IRC and these groups had more rights than other religious groups. In October, the IRC stated that the government advocated for the MOC-OA obtaining international recognition and continued to grant it unique privileges, such as providing it with public properties free of charge. MOC-OA and IRC leaders said complaints of government favouritism arose from was a misperception due to their communities' larger size and broader presence in the country. Smaller religious groups continued to say the government treated them unequally and favored the religious groups listed in the constitution over others. They said Prime Minister Zoran Zaev, President Pendarovski, and other government officials often met with only the five constitutionally recognized groups.*
- Evaluations

- The lack of existential recognition for belief systems and their communities in North Macedonia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the law does not require religious groups to register with the government in order to conduct “basic religious activities”.
 - **Legal designation:** there are three legal designations for religious entities in North Macedonia. These legal designations are “church”, “religious community” and “religious group.” Groups are allotted designations according to group size, internal organisation, and internal hierarchy. The law treats these three categories equally, bestowing the same legal rights, benefits, and obligations on all of them.
 - The government recognises 38 religious organisations, including the five named in the constitution. The total consists of 18 churches, 10 religious communities, and 12 religious groups.
 - **Registration benefits:** exempt from taxes, government-funded projects, construction permits for preservation of shrines and cultural sites, and may also establish schools.
 - **Unregistration:** unregistered groups may hold religious services or other meetings and proselytize, but they may not engage in certain activities such as establishing schools or receiving donations that are tax deductible for the donor, and they are not tax exempt.
 - *The OAO continued to accuse the government of bias and of failure to respect domestic and international law. OAO officials said that as representatives of an unregistered entity they did not have the right to open a bank account and that they continued to face other legal obstacles.*
 - **Procedure:** Skopje Basic Court II accepts registration applications. The law allows multiple groups of a single faith to register. The court sends approved applications to

the Committee on Relations between Religious Communities and Groups (CRRCG), a government body responsible for fostering cooperation and communication between the government and registered religious groups, which adds the organisation to its registry. The CRRCG has no oversight or ability to influence the registration process.

- **Regulatory interval:** the Court has 15 business days to determine whether a religious organisation's application meets the legal registration criteria.
- **Informational requirements:** criteria are a physical administrative presence within the country, an explanation of its beliefs and practices that distinguishes it from other religious organisations, and a unique name and official insignia. An applicant organisation must also identify a supervisory body in charge of managing its finances and submit a breakdown of its financial assets and funding sources, as well as minutes from its founding meeting.
- **Qualifications:** leaders or legal representatives of registered religious groups must be citizens of the country (nationality quota).
- **Denial of registration:** if the court denies the application, the organisation may appeal the decision to the State Appellate Court. If the appellate court denies the application, the organisation may file a human rights petition with the Constitutional Court, the highest human rights court in the country. If the Constitutional Court denies the petition, the organisation may appeal the case to the ECHR.
- **Registration rate:** *the Skopje Basic Civil Court reported it received 10 applications during the year related to registering churches and religious communities/groups. The court issued decisions on nine of those cases and one, related to the registration of a new church, remained pending at year's end. There were no further details on the pending case.*
- **Government interference:** *the OAO continued to state there was detrimental government interference in its affairs. OAO authorities continued to say the government refused to register the group, interfered in the work of the judiciary in cases involving the OAO, and exerted pressure on the OAO to reapply for registration under a new name despite the ECHR*

ruling it should be allowed to register under its current name. Government officials said the ECHR rulings did not change the country's legal requirement that an applicant's name be different from an already registered religious group. In 2020, the Skopje Basic Civil Court stated that the OAO's name was too similar to the MOC-OA's name and would have to be changed for the OAO to register. In March, the Skopje Appellate Court confirmed the rejection of the OAO's registration, pending since 2009, without comment.

- **Proposed amendments:** in February 2021, the MOJ met with CRRCG and other government ministries and agencies to discuss amendments to the 2007 Law on the Legal Status of the Church, Religious Community, and Religious Groups that would enable larger religious communities to acquire the status of "legal entities." This change, a longtime request of the MOC-OA and IRC, would enable the government to support religious groups' projects when doing so was deemed to be in the public interest. Under existing law, the government lacks explicit authority to, for example, assist with the preservation of culturally or historically significant religious sites. Other proposed changes to the 2007 law would make it more consistent with existing provisions of the criminal code and other laws by specifying that religious groups may not incite intolerance against other religious groups or promote stereotypes of other groups; use/abuse their names, titles, or insignia; act against the legal order, public morality, or health and lives of their own or believers of another religious group; or incite religious, ethnic, national or racial hatred, or promote religious radicalism. The MOJ decided, as it did when the 2007 law passed, to bring religious groups, including the MOC-OA and the IRC, into the discussion at a later, unspecified time once the amendments had been drafted.

- Evaluations

- The imposition of a stipulatory registration policy in North Macedonia is permissible to RoRB standards as long as stipulations made are not issued to interfere with "basic religious activities" such as making registration a prerequisite

for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in North Macedonia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** *all foreigners who seek to enter the country to carry out religious work or perform religious rites must obtain a work visa before arrival, a process that normally takes approximately four months. The CRRCG maintains a register of all foreign religious workers, and various government offices may approve or deny them the right to conduct religious work within the country. The CRRCG issues approvals for temporary residence permits and/or work visa applications for missionaries and religious workers on behalf of registered churches, religious communities, and religious groups; the Ministry of Labor and Social Policy verifies their compliance with the country’s labor laws; and the Ministry of Interior reviews security aspects. Unregistered groups may submit applications for work permits and visas according to the normal procedure. Work visas are valid for six months, with the option to renew for an additional six months. Subsequent renewals are valid for one year. There is no limit to the number of visa renewals for which a religious worker may apply.*
 - **Hieronymy:** the importation of religious materials or devotional items into North Macedonia is permitted without restriction, both for personal and propagational use.
 - **Religious holidays:** *atheists, Muslims, and Jews expressed dissatisfaction that in addition to the state holidays granted to*

all citizens, the Law on Holidays granted the former groups fewer days off than it did to Orthodox Christians.

- **Restitution:** registered groups are eligible to apply for restitution of properties nationalised during the Communist era (provided the group or community existed during that era).
 - *The Evangelical Methodist Church in Macedonia (EMC), part of the United Methodist Church in the United States, said restitution of Church property remained incomplete, while the MOC-OA restitution process ended long ago. The EMC said it could not build a church in Prilep because the municipality had refused for more than 20 years to issue a permit, even though there had previously been a church on the property for more than 100 years and zoning plans provided for the inclusion of a church. The EMC said it faced similar problems in other towns.*
 - *The MOC-OA said the denationalisation (restitution) process for property claims continued to be slow, noting more than 90 percent of positive decisions made by the Denationalisation Commission, which adjudicates claims, were appealed by the State Attorney's Office. They said the restitution process was stalled for a year because the commission was closed due to COVID-19, and pending cases were redistributed to local denationalisation commissions for adjudication. The local commissions did not act on any MOC-OA restitution requests during the year.*
- **Restoration and construction of places of worship:** *the MOC-OA said the municipality of Tetovo had failed for two years to honour its earlier commitments to pave a street to one of its churches in a neighbourhood, to build a chapel at the cemetery, and to collect the garbage at the cemetery's entrance. The MOC-OA also said the municipality of Struga had still not ruled on an application, pending since 2013, for construction of an Orthodox church in the village of Oktisi.*

- Penal code

- There is nothing of particular concern to RoRB standards in the present version of North Macedonia's penal code.
- Facilitation of religion or belief
 - **Interreligious dialogue:** *the EMC and IRC said the Interreligious Council, composed of the heads of the five constitutionally recognized religious groups, was not as active as it should be, and held only two meetings during the year: a meeting in January related to the COVID-19 pandemic, and a formal meeting with President Pendarovski in April.*
 - **Ombudsmanship:** the Ombudsman for the Protection of Citizens Rights forms the duties of ombudsperson in North Macedonia and has done so since 1997.

Social dimensions of RoRB

- **Bektashi community:** *the Skopje Basic Civil Court ruled on May 18 that the Bektashi (Tetovo) Community could resubmit its request to register as a religious group, following an appellate court's ruling in September 2020 that the group be allowed to do so. The Bektashi (Tetovo) Community, however, did not resubmit its registration application during the year. In 2019, the European Commission annual report on the country called on the government to implement earlier ECHR rulings to respect the rights of the Bektashi (Tetovo) Community, including officially recognizing it as a religious group. The group said its non-registration effectively restricted the community's ability to acquire property and use premises, such as the Harabati Baba Teqe complex, for religious activity.*
- *For the 10th year in a row, the Bektashi (Tetovo) community reported to police acts of harassment by individuals occupying the Harabati Baba Teqe compound in Tetovo, and by a group of supporters of the registered Hader Baba Teqe Bektashi (Kichevo) Order, who tried to evict the leaders of the Tetovo community from their shrine. The Bektashi (Tetovo) group stated that on July 22, unauthorised individuals entered its compound and stole donated money. The unauthorised group tried twice to evict the resident cleric – the dervish – in August and in September. In the September incident, a public prosecutor associated with the*

unauthorised group accompanied by two police inspectors threatened the dervish and other Bektashi (Tetovo) community employees with eviction from the shrine. The Bektashi (Tetovo) community also said that on September 13, police harassed and interrogated one of its clerics. The Bektashi (Tetovo) community remained in the Harabati Baba Teqe shrine at year's end.

- **Orthodox Christians:** *the Serbian Orthodox Church (SOC) continued to recognize the smaller OAO and refused to recognize the MOC-OA, which left the latter, the largest Orthodox community in the country, unrecognized by Orthodox churches around the world. In June, President Pendarovski met in Istanbul with Ecumenical Patriarch Bartholomew I to discuss the status of the MOC-OA. Pendarovski stressed the special role the Ecumenical Patriarch could play in overcoming the autocephaly dispute between the MOC-OA and the SOC. The MOC-OA requested autocephaly from the SOC so it could be recognized by the Church authorities in Istanbul. The IRC said it supported the MOC-OA's autocephaly and, in a sign of solidarity, it continued to avoid events organised by the SOC unless the MOC-OA participated.*
- **Muslims:** *on February 18 2021, the IRC publicly condemned the December 2020 registration of the Islamic Salafi Community, calling the ruling of the Skopje Basic Civil Court “a biased, shameful act to the detriment of Muslims’ unity,” and “an attempt to create parallel institutions.” IRC officials said the Salafi group was “an offspring of malicious structures” and called on the country’s Muslims to “not fall prey” to the group. The leader of the Salafi community said he considered his group’s registration a matter of the right to “freedom of religious expression and practice” and that his group had “a different form of organization and administration.”*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on the latter as legal registration.
- There exists three categories of legal registration: “church”, “religious community” and “religious group”; the law claims to treat these three categories equally which means that a system of horizontal recognition is in effect but continued monitoring of the

situation is needed in order to ensure that vertical recognition is not applied.

- The Macedonian Orthodox Church is the only religious denomination to be directly mentioned in the constitution.

Positive elements

- Horizontal recognition is in effect (subject to continued monitoring of the situation).
- There are procedures in place for appeal of registration denial both nationally at the Constitutional Court and if necessary, internationally at the European Court of Human Rights (ECHR).

Recommendations

- Establish a recognition system that is able to provide existential recognition and legal registration to entities simultaneously and at different levels of activity.
- Establish a recognition agency to manage and deal with this recognition system in a way that is autonomous from state control in order to avoid corruption and politicisation of the recognition and registration procedures.
- Revoke the restriction tools identified such as nationality quota and nominal restriction.

Restriction tools implemented

- Ambiguity exists within the legislation.
- Stipulatory registration.
- Unstructure exists in the system.
- Vertical recognition is in effect although it is claimed that each level of the hierarchy is treated equally.

History of RoRB classification

- North Macedonia has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Norway, Kingdom of — Receptive

RoRB and national identity

- The Norwegian Constitution makes an explicit claim to freedom of religion or belief, a right that the government broadly upholds in practice.
- The Norwegian Constitution establishes the Church of Norway (Lutheranism) as the state denomination or “established church”.

Recognition law

- Structures and procedures for existential recognition
 - **State funding for the state religion:** direct financial support is provided to the Church of Norway as the established church. The national government provides an annual block grant that covers the cost of salaries, benefits, and pension plans of Church employees. The national government may provide additional support for other projects as a result of the Church’s recognised and established status. By law, municipal governments provide financial support to the Church’s local activities, including maintenance and operation of Church buildings, as well as to public but Church-related properties, such as cemeteries and parks.
 - *Consistent with previous years, the government budget provided 77.7 million kroner (\$8.85 million) in subsidies for Church of Norway buildings and 15.3 million kroner (\$1.74 million) to religious dialogue and umbrella organizations, such as STL, the Christian Council, the Buddhist Council, and the Muslim Dialogue Network, to promote dialogue and tolerance among religious and life stance organizations.*
- Evaluations
 - Instituting provisions for the state support of denominations is permissible to RoRB standards but for Dynamic classification to be achieved, state support needs to be

expanded to new, alternative and minority religious denominations.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups are only required to register with the government if they wish to receive state financial support. However, stipulatory registration is only a fairly recent amendment to the registration laws in Norway²⁴.
 - **Procedure:** to register, a faith or life stance organisation must notify the government.
 - **Informational requirements:** its creed and doctrine, activities, names of board members, names and responsibilities of group leaders, operating rules – including who may become a member – voting rights, and the processes for amending statutes and dissolution.
 - **Registration benefits:** all registered faith and life stance organisations are eligible to apply for financial support from the government.
 - **State financial support system:** *the government pays prorated subsidies to nearly 800 such organisations based on their membership numbers, as compared to membership numbers of the Church of Norway.*
 - **Monitorial requirements:** a group must report its national tally of members annually.
 - **Membership quota:** *according to a law that went into effect January 1 2021, faith and life stance organizations with at least 50 registered members may apply for state subsidies, a decrease from the previous requirement of 500 adherents. Faith and life stance organizations must provide annual reports detailing activities, opportunities for children and youth, the use of the state subsidies, marital law administration, and gender equality, as well as any*

²⁴ according to a 2020 amendment to the Law on the Faith and Life Stance Communities, faith and life stance organisations no longer need to register with local municipalities. Per a new law adopted during the year, faith and life stance organisations no longer need to register with the county (state equivalent) governor.

funds received from abroad. The government also continues to provide the Church of Norway with an annual block grant that pays the full cost of salaries, benefits, and pension plans of Church employees. The government must provide additional funding to the Church of Norway for maintenance of cemeteries and religious buildings, in addition to any provided by municipal governments.

- There is a higher registration rate due to the genuine registration benefits provided through state support.
 - **Unregistration:** if a religious group does not register, it does not receive financial support from the government, but there are no restrictions on its activities except that faith and life stance communities that practice or give support to violent activities or receive funding from abroad may lose financial support following an assessment by the state.
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- Evaluations
 - The imposition of a stipulatory registration policy in Norway is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.
 - The imposition of a membership quota onto registrant religious groups is impermissible to RoRB standards.
 - The stipulation that registered religious groups report its national tally of members once a year is permissible to RoRB standards but this information must not be misused to deregister or discriminate against a religious group in any way by the government.
 - The necessity for registrant religious groups to provide their creeds and doctrines is permissible as long as this information is not misused against the group to discriminate based on its beliefs and practices; with the positive precedents set by the Norwegian government in its approach to FoRB in the past, nefarious intent with requesting such information is not suspected.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Norway as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Norway is permitted without restriction, both for personal and propagational use.
 - **Pastoral services**: *Christian, Muslim, and humanist chaplains served as officers in the military. Religious and humanist groups provided chaplains at their own expense to hospitals, universities, and prisons.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Norway's penal code.
- Facilitation of religion or belief
 - **Interreligious dialogue and societal integration**: *the government continued to fund workshops and other intervention programs that featured practitioners who worked with religious minorities to promote their economic and social integration into society. Efforts focused on youth education and engaging local community stakeholders.*
 - **Ombudsmanship**: there are various offices of ombudsman in Norway each with a speciality, including children and youth affairs, consumer protection, local and regional issues, and anti-discrimination.
 - **State funding**: *state support to religious and life stance organizations from the national government totalled*

approximately six billion kroner (\$683.53 million) during the year. The government provided 2.365 billion kroner (\$269.42 million) or 632 kroner (\$72) per member to the Church of Norway for salaries and operating expenses during the year, including for pensions and benefits of Church employees and clergy. The government provided other registered religious and life stance organizations approximately 891 million kroner (\$101 million) in total or 1,310 kroner (\$150) per registered member. The Church of Jesus Christ continued to be the only major religious community choosing to decline government funding. Under the new law, all funding to religious and life stance communities comes from the national government. However, the Church of Norway received additional local funding for the maintenance of church properties, such as church buildings and cemeteries, which other religious communities had to fund on their own. The Humanist Association repeated its criticism of this practice and stated that maintenance of properties should be a municipal responsibility to ensure equal treatment.

Social dimensions of RoRB

- **Hate crimes:** religiously motivated hate crimes do occur. Norwegian authorities most recently reported 624 hate crimes to the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) in 2018; 112 were religiously motivated, while another 15 were separately recorded as acts of anti-Semitism.
- **Jehovah's Witnesses:** *the Jehovah's Witnesses filed an application for annual state support, having received funding in past years, but by year's end the County Governor of Oslo and Viken, responsible for reviewing the application, did not announce a determination on the application. The practices of the Jehovah's Witnesses' were also the subject of a high profile legal case in which a former member was not permitted to have contact with her children who remained members of the religious community. The national Court of Appeal ruled that the former member did have the right to have contact with her children. At year's end, the case was pending before the Supreme Court, which agreed to hear an appeal.*

Overview

- State denomination is the Church of Norway as a form of Lutheranism.
- This creates a situation of partial recognition because no other group or denomination has the opportunity to gain the same level of recognition as Lutheranism in the country.
- Recognition and registration are differentiated with a focus on the latter for all non-Lutheran groups; there are two categories for legal registration: “religious organisations” and “life stance communities”.
- The term “life stance organisation”, similar to Iceland, is inclusive of all types of belief systems which shows dynamic character.
- Informational requirements for organisations receiving state subsidies seem appropriate but require continued monitoring.
- Religiously motivated hate speech disseminated online is directed particularly towards Muslims and Jews according to NGOs and the Norwegian Police Service.

Positive elements

- The government provides sufficient financial support for the religious and life stance organisations present in the country.

Recommendations

- Norway is fairly close to Dynamic status except for the imbalance between the support it provides to the Church of Norway and other organisations in addition to restrictive policies such as membership quotas.
- Establish a recognition system that is able to provide existential recognition and legal registration to entities simultaneously and at different levels of activity and is inclusive of all belief systems.
- Establish a recognition agency to manage and deal with this recognition system in a way that is autonomous from state control in order to avoid corruption and politicisation of the recognition and registration procedures.

Restriction tools implemented

- Membership quotas are in effect for the two categories of legal registration – religious organisations and life stance communities – with 50 members required and 500 members required to receive state funding respectively.
- Partial recognition is in effect.
- State denomination (as a form of state religion).
- Stipulatory registration.
- Vertical recognition is in effect.

History of RoRB classification

- Norway has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Oman, Sultanate of — Censorious

RoRB and national identity

- The Constitution of Oman makes a caveated claim to freedom of religion or belief, a right the government regularly infracts upon in practice.
- The Constitution of Oman establishes Islam as the state religion without making specification to a state denomination.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Islam in Oman.
- Evaluations
 - The lack of existential recognition in Oman for any denomination other than Islam is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** all religious organisations must register with the government. The law does not specify rules, regulations, or criteria for gaining ministerial approval.
 - **Sponsorship:** groups seeking registration must request meeting and worship space from one of the sponsor organisations recognised by MERA. New non-Muslim religious groups unaffiliated with a previously recognised sponsor must gain approval from MERA before they may register. The sponsors are responsible for recording and submitting to the ministry the group's religious beliefs and the names of its leaders.

- **Muslim groups:** Muslim groups must register, but the government – as benefactor of the country’s mosques – serves as their sponsor. MERA must also grant its approval for new Muslim groups to form.
- **Non-Muslim groups:** for non-Muslim groups, the ministry recognises the Protestant Church of Oman (a partnership between the Reformed Church of America and the Anglican Church), Catholic Church in Oman, al-Amana Center (an interdenominational organisation affiliated with the Reformed Church of America that promotes Muslim-Christian understanding), Hindu Mahajan Temple, and Anwar al-Ghubaira Trading Company in Muscat (Sikh) as official sponsors.
- **Operating licence:** all individuals who deliver sermons in registered religious groups must register with MERA. The licensing process for imams prohibits unlicensed lay members from preaching sermons in mosques, and licensed imams must deliver sermons within politically and socially acceptable parameters. Lay members of non-Muslim groups may lead prayers if they are specified as leaders in their group’s registration application.
- *Religious groups, including some who were actively seeking to register with the government, continued to report opaque processes and unclear guidelines for registration. While no published rules, regulations, or criteria existed for new religious groups to receive ministerial approval, MERA reportedly considered a group’s size, theology, belief system, leadership structure, and the availability of other worship opportunities before granting registration. MERA reportedly employed the same criteria whether the group was Muslim or non-Muslim. Observers said details of the process remained vague, although there were reports MERA consulted with existing religious communities before ruling on the application of a new religious group. According to MERA, there was no limit on the number of religious groups it could register. Representatives of some religious groups said that additional communication and clear guidelines from MERA would help their communities navigate the process of obtaining property for religious facilities and clarify legal provisions governing religious practices.*

- Evaluations
 - The government's imposition of a mandatory registration order onto all religious groups is impermissible to RoRB standards.
 - The imposition of a system of operating licences on imams to deliver sermons is impermissible to RoRB standards.
 - The establishment of a sponsorship system for registrant religious groups is impermissible to RoRB standards; this impermissibility is further compounded by the fact that the system treats Islamic groups and non-Islamic groups differently with favour granted to the former.

Law and policy on religion and belief

- Self-identification
 - **National identity documentation:** *birth certificates issued by the government record an individual's religion. Other official identity documents do not do so.*
 - **Religious conversion:** there is no provision of the law specifically addressing apostasy, conversion, or renunciation of religious belief.
- Communal activity
 - **Censorship of Islam:** *according to religious leaders, MERA continued to monitor sermons at mosques to ensure imams did not discuss political topics. The government required all imams, regardless of their branch of Islam, to preach sermons within what the government considered politically and socially acceptable parameters. These parameters, which the government outlined monthly, included the distribution of a list of acceptable topics along with standardised and approved Friday sermons for Ibadhi and Sunni imams. Mosques under the purview of the Diwan (Royal Court), such as the Grand Mosque in Muscat, were not subject to this monitoring. The Grand Mufti, the senior Ibadhi cleric in the country, who was*

appointed in 1975, remained the only cleric able to speak publicly outside the designated government parameters. Government officials made clear he did not represent the views of the government.

- **Foreign religious activity:** *according to religious minority leaders, the Royal Oman Police collected religious affiliation information from expatriates applying for work visas.*
 - *Foreigners on tourist visas who are not clergy may not preach, teach, or lead worship. Visa regulations permit foreign clergy to enter the country to teach or lead worship under the sponsorship of registered religious groups, which must apply to MERA for approval before the visiting clergy member enters the country.*
- **Hierarcy:** *the importation of non-Islamic religious materials or devotional items into Oman is presumed prohibited based on the criminalisation of proselytising. Laws pertaining to the importation of religious materials for personal use remain unclear although it is likely that MERA would need to approve any religious book brought into the country.*
 - *According to the FedEx Cross Border global lists, “items offensive to Muslim culture” are prohibited which could easily be broadened in its interpretation to include non-Islamic religious texts.*
 - *Authorities blocked the import of certain publications, including religious texts, without the necessary permit. Shipping companies said customs officials sometimes confiscated these materials. The government also continued to require religious groups to notify MERA before importing religious materials and to submit a copy to MERA. Religious minority leaders said the ministry did not review all imported religious material for approval, and non-Muslims were often able to import literature without government scrutiny. Religious groups said that consistent with the government’s censorship policy mandating prior review of any published material, they continued to need MERA approval to publish texts in the country or disseminate religious publications outside their membership. Religious groups stated they did not*

attempt, however, to share material with members of the public outside their places of worship.

- **Non-Islamic places of worship:** the law restricts collective worship by non-Muslim groups to houses of worship on land specifically donated by the Sultan for the purpose of collective worship.
 - *MERA informally approved the Protestant Church of Oman hosting of worship services conducted by religious groups lacking their own houses of worship. MERA also allowed the Sri Lankan embassy to host Buddhist religious services and ceremonies on its compound.*
 - *Some religious communities remained without a registration sponsor or permanent place of worship, including the Church of Jesus Christ, and the Sikh and Buddhist communities. MERA was working with the Church, the Sikh community, and other groups to identify suitable, permanent places of worship, a MERA official said. This process has stalled, some community leaders reported. Other religious minority groups, such as the Buddhist community, reported they did not have permanent independent places of worship as recognized groups even though they represented a significant population in the country, primarily of expatriate workers.*
- **Proselytism:** the law prohibits public proselytising by all religious groups, although the government authorises certain “Islamic propagation centres.”
- **Provision of land for religious purposes:** *the government provided land for all approved religious groups to build and maintain religious facilities in the country. Christian community leaders and MERA said that they were coordinating to establish a second Christian cemetery, since the first was reaching capacity. As of the end of the year, Christian community leaders indicated that MERA officials were supportive in their efforts to find a location that met their needs. MERA officials stated that they had enlisted the help of the Ministry of Housing and Urban Planning to identify a site for this purpose.*

- **Religious events:** *MERA approved religious celebrations for non-Muslim groups in commercial or public areas on a case-by-case basis as pandemic-related restrictions eased, returning to pre-pandemic practices. Hindu temples were permitted to host modified Diwali celebrations, which they coordinated with MERA, with pandemic precautions including social distancing and takeaway food instead of eating as a group in the temple.*
- **Religious services held in private homes:** *non-Muslims who worshipped in private homes continued to say the government did not interfere with Christian, Buddhist, Hindu, and other religious groups in their regular private worship services despite continuing legal prohibitions on worship outside of government-approved locations. Some non-Muslim minority groups continued to report overcrowding at their places of worship and said that they requested more space to ease overcrowding concerns. According to some religious leaders, space limitations also caused overcrowding at some private homes used for non-Islamic worship. Some communities worshiped via virtual meetings or met in reduced numbers due to COVID-19 safety measures, temporarily easing space limitations. A MERA official stated the ministry was willing to work with other government ministries to secure additional, government-approved land to relieve the overcrowding that some minority groups experienced. At least one of the groups said that it had submitted requests in the past to acquire land for a house of worship, and it intended to begin actively pursuing land acquisition again. The group reported that in February MERA asked it to wait until a new cabinet was in place before inquiring about land. At year's end, the group continued to engage with officials in pursuit of the acquisition. The government paused the land distribution process, in part because of the disruption caused by the COVID-19 pandemic.*
- **Zoning laws:** *the law states the government must approve the construction or leasing of buildings by religious groups. In addition, new mosques must be built at least one kilometre (0.6 miles) from existing mosques.*

- Penal code

- **Blasphemy:** the maximum prison sentence for “insulting the Quran,” “offending Islam or any [Abrahamic] religion,” or “promoting religious and sectarian tensions” is 10 years.
- **Non-Islamic group:** the law also penalises anyone who, without obtaining prior permission, “forms, funds, [or] organises a group...with the aim of undermining Islam...or advocating other religions” with up to seven years’ imprisonment.
- **Unauthorised gatherings:** holding a meeting outside government-approved locations to promote another religious group is also criminalised with a maximum sentence of three-years’ imprisonment.
- **Use of the internet:** the law allows authorities to prosecute individuals for any message sent via any medium that “violates public order and morals.” Using the internet in a way that “might prejudice public order or religious values” is a crime that carries a penalty of between one month and one year in prison and a fine of not less than 1,000 Omani rials (\$2,600).
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Oman to investigate cases of human rights violation in the country.
 - **Outreach:** *in December 2021, the Foreign Minister hosted an American Jewish Committee (AJC) delegation. The MFA’s Chief of Global Affairs participated in a two-hour virtual meeting with AJC officials in November as part of the country’s outreach to representatives of non-Muslim religious groups.*
 - **State funding:** *the government continued to fund the salaries of some Ibadhi and Sunni imams, but Shia or non-Muslim religious leaders were privately funded.*

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Oman for this First Edition of *Recognition of Religion or Belief*.

Overview

- State religion is Islam.
- Recognition and registration are differentiated; a system of partial recognition is in effect whereby all non-Islamic groups are offered only a semblance of recognition through legal registration; there are no opportunities for non-Islamic groups to attain the same degree of recognition as Islam itself.
- Informational and other types of requirements remain undeclared or ambiguous which restricts the overall process.
- Rare use of the sponsorship restriction tool.
- Restrictions are imposed in the area of preregistration, namely a multi-step process for groups to become eligible for registration.
- The rule of mandatory registration violates the Bielefeldt provision.

Positive elements

- Nil.

Recommendations

- Dismantlement of the present apparatus that misuses recognition as a means to censor religion.
- Repeal restrictive laws that seek to censor all forms of religious activity, both Islamic and non-Islamic.
- To become Receptive, the Omani government would need to establish a recognition system inclusive of all belief systems with the capacity to bestow both existential recognition and legal registration simultaneously; the disestablishment of Islam would have to take place to ensure the recognition system was enshrined with equality if the government could not prove in practice that it would not treat Islam any different from other belief systems.

Restriction tools implemented

- Ambiguity remains regarding the criteria for registration.
- Censorship of internet use and the use of digital messages has increased with retributions imposed in order to restrict the dissemination of religious information or the discussion of religion in a way deemed unacceptable by the government.
- Confinement restriction tool.
- Legislation remains unclear regarding conversion and “apostasy.”
- Mandatory registration for all groups not affiliated with a belief system already recognised.
- Normativism is in effect.
- Partial recognition is in effect.
- Politicisation of religion and belief is widespread due to the powers bestowed to the Sultan.
- Proselytism is prohibited nationwide, except state-sanctioned forms of Islam.
- Retributions for blasphemy include 10 years imprisonment; retributions for establishing an unauthorised non-Islamic group include 7 years imprisonment.
- Sponsorship restriction tool applied in preregistration.
- State definition and interpretation of Islam is in effect to control Muslim religious activities.
- The vast majority of religious activity must be authorised by the government.

History of RoRB classification

- Oman has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Pakistan, Islamic Republic of — Terminal

RoRB and national identity

- The Constitution of Pakistan makes a caveated claim to freedom of religion or belief although the government systematically infracts upon this right in practice.
- The Constitution of Pakistan establishes Islam as the state religion without specification as to a state denomination.
- The constitution provides for “freedom to manage religious institutions.” It states every religious denomination shall have the right to establish and maintain its own institutions. The constitution states no person shall be compelled to pay any special tax for the propagation or maintenance of a religion other than the person’s own.
- The constitution mandates that the government take steps to enable Muslims, individually and collectively, to order their lives in accordance with the fundamental principles and basic concepts of Islam and to promote the observance of Islamic moral standards. It directs the state to endeavour to secure the proper organisation of Islamic tithes, religious foundations, and places of worship.
- The country is party to the International Covenant on Civil and Political Rights (ICCPR), and maintains two reservations: first, that ICCPR Article 3 regarding equal rights of men and women would be “applied as to be in conformity with Personal Law of the citizens and Qanoon-e-Shahadat Order, 1984 (Law of Evidence),” under which the in-court testimony of men in certain civil matters pertaining to contracts and financial obligations is given greater weight than that of women; and second, that ICCPR Article 25, on the equal right for citizens to take part in public service, would be subject to articles of the constitution mandating that the President and Prime Minister be Muslims.

Recognition law

- Structures and procedures for existential recognition

- There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Islam in Pakistan.
- Evaluations
 - The lack of existential recognition in Pakistan for any denomination other than Islam is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** there are no established procedures for religious groups to register in the country. A semblance of registration is achieved in the registration of marriages of minority faiths and the successful construction of individual places of worship.
- Evaluations
 - The imposition of a non-registration policy is impermissible to RoRB standards; this is a serious misuse of registration because it gives no chance for the legal protection of non-Islamic organisations.

Law and policy on religion and belief

- Self-identification
 - **Identity documentation:** The National Database and Registration Authority (NADRA) designates religious affiliation on passports and requires religious information in national identity card and passport applications. Those wishing to be listed as Muslims must swear they believe Mohammed is the final prophet and must denounce the Ahmadiyya movement's founder as a false prophet and his followers as non-Muslim. There is no option to state "no

religion.” National identity cards are required for all citizens upon reaching the age of 18. Identification cards are used for voting, pension disbursement, social and financial inclusion programs, and other services.

- **Government officials:** the constitution requires the President and Prime Minister to be Muslims. All senior officials, including members of parliament, must swear an oath to protect the country’s Islamic identity. The law requires elected Muslim officials to swear an oath affirming their belief that Mohammed is the final prophet of Islam. This requirement effectively prohibits Ahmadi Muslims from holding elected office, as they recognize a prophet subsequent to Mohammed.
- Communal activity
 - **Hieronymy:** the importation of non-Islamic religious materials or devotional items into Pakistan is not permitted either for personal or propagational use. The prohibition of the Ahmadiyya movement is likely to extend to the prohibition of the importation of Ahmadi literature both for personal and propagational use.
 - **Missionary activity:** the government continued to permit limited non-Muslim foreign missionary activity and to allow missionaries to proselytize as long as they did not preach against Islam and they acknowledged they were not Muslim. According to the government’s immigration website, the Ministry of Interior could grant visas to foreign missionaries invited by organisations registered in the country. The visas were valid for one year and allowed one reentry into the country per year, although it was understood by missionary sources that only “replacement” visas for those taking the place of departing missionaries were available for long-term missionaries seeking to enter the country for the first time. The website further stated extensions could be granted for two years with two reentries per year, excluding from India.
 - **Religious literature:** the distribution of non-Islamic literature and materials in the country is restricted.

- **Zakat:** *the government collects a mandatory, automatic 2.5 percent zakat (tax) from Sunni Muslims who hold savings accounts in banks. It distributes the funds through a government-run charity as stipends for poor families and students, payment for medical treatment, and support to Sunni mosques and madrassahs registered with the government. Sunni Muslims who want to distribute zakat themselves may request an exemption, and Shia Muslims are exempted by filling out a declaration of faith form.*
- Penal code
 - **Antiterrorism:** *the government may use the antiterrorism courts, established as a parallel legal structure under the 1997 Antiterrorism Act, to try cases involving violent crimes, terrorist activities, and acts or speech deemed by the government to foment religious hatred, including blasphemy.*
 - **Blasphemy:** *the penal code does not explicitly criminalise apostasy, but renouncing Islam is widely considered by clerics to be a form of blasphemy, which can carry the death penalty.*
 - **Criticism of Islam and religion:** *the law prohibits publishing any criticism of Islam or its prophets or insults to others' religious beliefs.*
 - **Prohibitions:** *according to the constitution and the penal code, Ahmadis may not call themselves Muslims or assert they are adherents of Islam. The penal code bans them from "posing as Muslims," using Islamic terms, carrying out Islamic customs, preaching or propagating their religious beliefs, proselytising, or "insulting the religious feelings of Muslims." The punishment for violating these provisions is imprisonment for up to three years and a fine, the amount of which is at the discretion of the sentencing judge. The law bans the sale of Ahmadiyya religious literature.*
- Facilitation of religion or belief

- **Dedicated ministry:** *the Ministry of Religious Affairs and Interfaith Harmony is responsible for organising participation in the Hajj and other Islamic religious pilgrimages. Authorities also consult the ministry on matters such as blasphemy and Islamic education. The ministry's budget covers assistance to indigent minorities, repair of minority places of worship, establishment of minority-run small development projects, celebration of minority religious festivals, and provision of scholarships for religious minority students.*
- **Ombudsmanship:** there is a Federal Ombudsman and Provincial Ombudsman to deal with human rights complaints in Pakistan.

Social dimensions of RoRB

- **Ahmadi Muslims:** Ahmadis face widespread discrimination; four Ahmadis were killed during 2020 in suspected hate crimes. According to Ahmadiyya leaders, the government effectively disenfranchised their community by requiring voters to swear an oath affirming the “finality of the Prophethood of Mohammed,” something that they stated was against Ahmadi belief, in order to register as Muslims. Since voters who registered as Ahmadis were kept on a separate voter list, they said they were more exposed to threats and physical intimidation, and many Ahmadis continued their longstanding practice of boycotting elections. Ahmadiyya Muslim community representatives continued to state that Ahmadi families were unable to register their marriages with local administrative bodies, known as union councils, since those councils considered Ahmadis to be outside the authority of the Muslim Family Law of 1961.
- **Discrimination and violent extremism:** constitutional guarantees of religious freedom have not provided effective safeguards against discriminatory legislation, social prejudice, and sectarian violence.
- **Hindus:** Hindus have complained of vulnerability to kidnapping and forced conversions, and some continue to migrate to India.

In October 2020, the Council of Islamic Ideology withdrew its objections to a restored Hindu temple in Islamabad. In December, a violent mob destroyed another Hindu temple in the Karak district of Khyber Pakhtunkhwa province.

- Some community representatives said Christians continued to face difficulties in registering marriages with Islamabad union councils because the councils claimed they had no authority to deal with unions recorded by Christian marriage registrars (usually church authorities). Parliament, church leaders, and advocates continued to debate the text of a draft law to govern Christian marriages nationwide, because the existing regulation dated from 1872. Members of parliament and officials of the Ministry of Human Rights and the Ministry of Law and Justice held consultations with church leaders from prominent Christian denominations and with NGO representatives, but the denominations, church leaders, and NGO representatives had not agreed on elements of the draft law pertaining to divorce and interfaith marriage by year's end. NGOs lobbying for amendments to permit divorce in a wider range of circumstances praised the Ministry of Human Rights' efforts to consult with stakeholders and the ministry's overall efforts to accelerate progress on the bill.
- Although the Sindh Hindu Marriage Act covers registration of Sikh marriages in that province, members of the Sikh community reportedly continued to seek a separate Sikh law so as not to be considered as Hindus for the purposes of the law. The Sindh provincial cabinet adopted regulations to implement the Sindh Hindu Marriage Act in December 2019, which provided more specific rules for implementation. In 2020, the provincial government began to implement the act, and NADRA began registering Hindu marriages in Sindh, according to Hindu community activists.
- **Minorities:** members of the Shia sect, Christians, and other religious minorities remain at risk of blasphemy accusations that can arise from trivial disputes and escalate to criminal prosecution and mob violence. The blasphemy laws and their

exploitation by religious vigilantes have also curtailed freedom of expression by Muslims.

Azad Jammu and Kashmir

- Both territories have a predominantly Muslim population, and there is no official or social tolerance of non-belief.
- Tools used to compel expressions of belief and conformity with official interpretations of religious doctrine include laws criminalising blasphemy, rules requiring observance of Ramadan, and an obligation to denounce the heterodox Ahmadi sect to obtain a Pakistani passport. Although there is a history of Sunni-Shiite sectarian violence in GB, no major incidents have been reported in recent years.
- Percolative recognition is in effect in this region controlled by Pakistan.

Overview

- State religion is Islam.
- Recognition and registration are differentiated in Pakistan.
- Government is directly involved in managing the issue of blasphemy and Islamic education.
- Persecution of Ahmadi Muslims by the government demonstrates terminality and also shows that state definitions and interpretations of Islam are in effect.
- Violence and harassment directed towards Christians, Hindus and other non-Muslim minorities is ongoing and is perpetuated by both state and social actions.
- Pakistani Kashmir: Citizenship is misused as a way of restricting religious and belief activity; normativism in the region is widespread which has caused intolerance of religious diversity to be deeply entrenched.

Positive elements

- Nil.

Recommendations

- Dismantlement of the present abuse of recognition and the vast apparatus that the government wields to perpetuate terminal restrictions on religious activity.
- Establishment of a new recognition system that treats all belief systems equally and bestows both existential recognition and legal registration through distinct procedures and across multiple levels of activity; the disestablishment of Islam may need to occur in order to ensure the system's equality if the government cannot prove in practice its equal treatment to religions.
- Ongoing issues of normativism and societal intolerance of alternative belief identities should be resolved through more sophisticated means of religious education and the use of mutual recognition as a message spread by government on the importance of religious pluralism.

Restriction tools implemented

- Ambiguity persists as to the process of registration for non-Islamic groups and organisations.
- Baseless charges of blasphemy for reasonable forms of criticism are commonplace for minorities and Muslims themselves.
- Blasphemy laws exist and are still in effect with retribution of capital punishment.
- Citizenship restriction tool.
- False claim to freedom of religion or belief.
- Forced observance of Ramadan.
- Normativism is severe and widespread leading to hate crime and violence.
- Persecution of Ahmadi Muslims is ongoing; Ahmadiyya literature and proselytism are prohibited.
- Retributions for violating laws on religion and belief include imprisonment and fines.
- State definition and interpretation of Islam is in effect.
- State religion.

History of RoRB classification

- Pakistan has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Palau, Republic of — Restrictive

RoRB and national identity

- The Constitution of Palau makes an explicit claim to freedom of religion or belief and this right is generally upheld in practice by the government.
- The Republic of Palau is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Palau.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Palau demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that religious groups, including foreign missionaries, register with it.
 - **Legal designation:** religious groups are legally designated as non-profit organisation.
 - **Procedure:** religious groups must obtain a charter from the Registrar of Corporations in the Office of the Attorney General. This involves submitting a written petition to the Registrar of Corporations after which the Registrar will review the application for its statutory compliance and then the President must sign the charter to certify it. The charter to operate will then be granted to the religious group.
 - **Registration fee:** a filing fee of \$250.

- **Registration benefits:** tax exemption.
- Evaluations
 - The government's imposition of a mandatory registration policy onto registrant religious groups is impermissible to RoRB standards.
 - The imposition of a registrant fee that exceeds the \$100 threshold set down by RoRB standards is impermissible to RoRB standards.
 - The necessary involvement of the President in the registration procedures is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Palau as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** *foreign missionaries must obtain permits from the division of immigration, which is under the Bureau of Customs and Border Protection of the Ministry of Finance; there are no application fees. Applicants must provide police and medical clearances, and applications must include letters from the assigning church in the sending foreign country and the local accepting church. The permits are valid for a maximum of two years and may be renewed.*
 - **Hieronymy:** the importation of religious materials or devotional items into Palau is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Palau's penal code.

- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Palau to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Palau for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; there is a focus placed on legal registration with few to no means for existential recognition.
- Although well below Liberia's fee, Palau has one of the highest fees for registration of a religious organisation in the world.
- The involvement of the President in the registration process is in appropriate as it politicises the procedure.
- The rule of mandatory registration violates the Bielefeldt provision.
- The way the IRFR addresses registration in Palau intimates that it is mandatory.

Positive elements

- Freedom of religion or belief is broadly upheld in practice.
- Horizontal recognition is in effect.

Recommendations

- Establish a recognition system that has the capacity to bestow both existential recognition and legal registration simultaneously without discrimination of belief systems and has the capacity to bestow these forms of recognition at multiple levels of operation and activity.

- Remove all forms of politicisation in the registration process and remove any ambiguity existent in the legislation.
- Revoke the mandatory registration rule.

Restriction tools implemented

- Ambiguity exists within the legislation regarding the criteria for registration; approval of registration seems to rest with the President.
- Relatively high registration fee.
- Mandatory registration although not “onerous or restrictive.”
- Politicisation of the registration process takes place.

History of RoRB classification

- Palau has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Palestine, State of — Censorious

RoRB and national identity

- The Basic Law of the State of Palestine makes an explicit claim to freedom of religion or belief although this claim is not upheld in practice by the government: “freedom of belief, worship and the performance of religious functions are guaranteed, provided public order or public morals are not violated”.
- The Basic Law of the State of Palestine establishes Islam as the state religion but does not make any specification as to a state denomination.
- The Basic Law also states that “respect and sanctity of all other heavenly religions (Judaism and Christianity) shall be maintained”.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** each religious group must negotiate its own bilateral relationship with the PA, called “status quo agreements”.
 - **19th century status quo agreements:** grandfathered in by the Ottoman authorities, the PA recognises the presence and rights of the Greek Orthodox, Roman Catholic, Armenian Orthodox, Syrian Catholic, Coptic Orthodox, Ethiopian Orthodox, Melkite Greek Catholic, Maronite, Syrian Orthodox, and Armenian Catholic Churches.
 - **Subsequent status quo agreements:** the PA also recognises the rights of the Episcopal (Anglican) Church, Evangelical Lutheran Church, and the Council of Local Evangelical Churches (a coalition of evangelical Protestant churches present in the West Bank and Gaza).
 - **Personal status law:** the PA recognises the legal authority of these religious groups to adjudicate personal status matters, such as marriage, divorce, and inheritance. Recognised religious groups may establish ecclesiastical courts to issue legally binding rulings on personal status and some property matters for members of their religious

communities. The PA Ministry of Religious Affairs is administratively responsible for these family law issues.

- **Unwritten agreements:** the PA maintains some unwritten understandings with churches that are not officially recognised, based on the basic principles of the status quo agreements, including with the Assemblies of God, Nazarene Church, and some evangelical Christian churches, which may operate freely. Some of these groups may perform some official functions, such as issuing marriage licenses.
- **Unrecognised groups:** churches not recognised by the PA generally must obtain special one-time permission from the PA to perform marriages or adjudicate personal status matters if these groups want the actions to be recognised by and registered with the PA.

- Evaluations

- The government hinging the freedom to proselytise on recognition is impermissible to RoRB standards.
- The provision of bilateral cooperation agreements as a form of existential recognition is welcomed although these procedures should be expanded to include all new and minority religious and belief systems and their respective communities.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** there is no specified process by which religious organisations gain official recognition.
- Evaluations
 - The imposition of a policy of non-registration is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Palestine as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Palestine is permitted for personal use. However, the importation of non-Islamic religious goods for propagational purposes is likely to require preapproval by the PA. The strictness of how these restrictions are imposed is unknown.

 - **Identification cards:** although the PA removed the religious affiliation category from Palestinian identity cards issued in 2014, older identity cards continue to circulate, listing the holder as either Muslim or Christian.

 - **Proselytism:** *unrecognised religious groups such as Jehovah's Witnesses faced a continued PA ban on proselytising but stated they were able to conduct most other functions unhindered. Palestinian authorities generally recognized on a case-by-case basis personal status documents issued by unrecognized churches. The PA, however, continued to refuse to recognize personal status legal documents (e.g., marriage certificates) issued by some of these unrecognized churches, which the groups said made it difficult for them to register newborn children under their fathers' names or as children of married couples. Many unrecognized churches advised members with dual citizenship to marry or divorce abroad and to register the action officially in that location. Some converts to unrecognized Christian faiths had recognized churches with which they were previously affiliated perform their marriages and divorces. Members of some faith communities and faith-based organizations stated they viewed their need to do so as conflicting with their religious beliefs.*

- **State funding:** the PA provides financial support to Islamic institutions and places of worship. A PA religious committee also provides some financial support for Christian cultural activities (likely excluding support for places of worship or propagation).
- Penal code
 - **Blasphemy laws:** blasphemy is a criminal offence. The ECL criminalises expression aimed at harming moral and religious values without defining those values, allowing for arbitrary enforcement.
 - **Security laws:** security-related restrictions on movement, and vandalism or physical assaults against worshippers or places of worship, affect Jewish, Muslim, and Christian residents of the West Bank to varying degrees.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Palestine to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims:** the Israeli authorities regularly prevent Palestinian Muslims in the West Bank from reaching Jerusalem to pray, and generally restrict access for young adult males to the Temple Mount/Haram al-Sharif compound on Fridays.

Overview

- Islam is established as the state religion.
- There exists no recognition system in the territory; in reality, this means that no provisions for existential recognition or legal registration are established for non-Islamic groups.

- Although religious groups are encouraged to establish bilateral cooperation agreements with the government, it is not clear how these are established nor their degree of accessibility.
- A situation of partial recognition is in effect whereby even though several denominations of Christianity have agreements with the state, this does not equate to the same level of recognition that is bestowed to Islam; unofficial agreements with other denominations provide the amount of rights as with the primary collection of churches, however, many of the details remain ambiguous.

Positive elements

- Nil.

Recommendations

- Dismantlement of the current apparatus of laws restricting reasonable religious activity.
- Establish a recognition system for the country that has jurisdiction over both West Bank and the Gaza Strip to provide both existential recognition and legal registration to all belief systems and their derivatives and at multiple levels of activity.
- Repeal laws on proselytism, conversion and blasphemy and deconstruct the system of partial recognition that is currently in place even if this requires the disestablishment of Islam as the state religion.
- Remove all subjective language from the law to help reduce arbitrary enforcement.

Restriction tools implemented

- Blasphemy laws are in effect.
- Non-existence of a recognition system.
- Partial recognition is in effect.
- Proselytism of any non-Islamic group is either restricted or outright banned.
- State religion.

- Subjective language is used throughout the legislation, allowing for arbitrary enforcement.

History of RoRB classification

- Palestine has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Panama, Republic of — Restrictive

RoRB and national identity

- The Constitution of Panama makes a partial claim to freedom of religion or belief, a claim that the government generally upholds in practice though with some infractions
- The Republic of Panama is a secular state.
- The Constitution of Panama extends state privilege to the Catholic Church but does not establish it as the state denomination; although the Constitution does recognise Catholicism as the religion of the majority.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Panama.
 - **Religious affiliation in the census:** *some religious leaders, including Jewish, Islamic, and evangelical Christian leaders, opposed inclusion of a question in the next national census (date to be determined) about an individual's religious affiliation. Sources stated that concern about the government mandating a response on religious affiliation and collecting lists of minority religions generally fuelled the leaders' opposition. Leaders cited examples of similar opposition in other countries, including the United States. According to Roman Catholic representatives, however, the church did not oppose including the question. Government officials said the government had no plans to include such a question.*
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Panama demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** although the government does not explicitly require religious groups to register, the fact that one of the benefits of registration is listed as "the freedom to manage and administer [the group's] property" implies that registration is a necessary prerequisite for a religious group to either run or lease their own properties for conducting religious services which is classified as a "basic religious activity" and should therefore not be subject to registration.
 - **Legal designation:** religious groups are legally designated as religious associations.
 - **Registration benefits:** ability to apply for state grants and subsidies, as well as the freedom to manage and administer their property; duty-free importation and tax-exemption.
 - **Procedure:** a religious group is required to submit an application to the Ministry of Government (MOG). Once the MOG approves the registration, the religious association must record the MOG's resolution in the Public Registry.
 - **Duty-free importation:** registered religious associations must apply to the Directorate of Internal Revenue of the Ministry of Economy and Finance to receive clearance for duty-free imports.
 - **Tax-exemption:** the law states that income from religious activities is tax-exempt as long as it is collected through such activities as church and burial services and charitable events.
 - **Government property grants:** the government may grant government properties to registered religious associations upon approval by the Legislative Tax Committee and the cabinet.
 - **Informational requirements:** appointment of a power of attorney, charter, names of its board members (if applicable), and a copy of the internal bylaws (if applicable).
 - **Registration fee:** a four-balboa (\$4) processing fee.

- **Registration rate:** *registered religious groups are the Roman Catholic Church, Greek Orthodox Church, Russian Orthodox Church, Episcopal Church, Methodist Church, Evangelical Methodist Church, the Baha'i Faith, Soka Gakkai International (Buddhist), Church of Jesus Christ, Muslim Congregation of Colon, Muslim Congregation of Panama City, Muslim Congregation of Cocle Province, Muslim Congregation of Chiriqui Province, Jewish Kol Shearith Israel Congregation, Jewish Shevet Ahim Congregation, Jewish Beth El Congregation, Baptist Church, Hossana Evangelical Church, Casa de Oracion (house of prayer) Cristiana Evangelical Church, Pentecostal Church, Christ Our Savior Lutheran Church, Crossroads Christian Church, Ministry of the Family Christian Church, Seventh-day Adventist Church, and Jehovah's Witnesses. The Rastafarian congregation and the Babalaos have chosen not to register.*

- Evaluations

- The imposition of a stipulatory registration policy in Panama is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.
- The imposition of a registration fee below the \$100 threshold set by RoRB standards is permissible.
- Registration procedures are not onerous.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Panama as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity

- **Foreign missionary activity:** *immigration law grants foreign religious workers temporary missionary worker visas that they must renew every two years, for up to a total of six years. Roman Catholic and Orthodox Christian priests and nuns are exempt from the two-year renewal requirement and issued six-year visas, with no limitation other than “respect for Christian morality.” Clergy of other religious groups, as well as other religious workers, are also eligible for the special six-year visa but must submit additional documentation with their applications. These additional requirements include a copy of the organization’s bylaws, the MOG-issued registration certificate, and a letter from the organization’s leader in the country certifying the religious worker will be employed at its place of worship. The application fee is 250 balboas (\$250) for all religious denominations.*
- *According to religious group representatives, the discretionary power of immigration officials made entry of missionaries from certain countries more difficult. During the year, Central American missionaries from the Balboa Union Church and the Church of Jesus Christ said immigration authorities delayed or questioned their visits for pastoral work. Representatives of the Church of Jesus Christ said two young Nicaraguan missionaries experienced mistreatment and officials did not allow entry into the country in July and August, despite government approval of their missionary visas. Representatives stated there was miscommunication between the National Migration Service and its airport immigration officers. These officers eventually allowed the missionaries to enter the country after repeated engagement between church leaders and immigration authorities.*
- *Baha’i representatives said they decided to have short-term foreign missionaries enter the country on legal 90-day tourist visas due to the complexity of the religious visa process. Some religious leaders suggested that immigration authorities should better educate their officers and airport agents or create a special unit of officers with expertise in processing missionary visas, to prevent problems arising from officers’ abuse of their discretionary authority.*

- **Hieronymy:** the importation of religious materials or devotional items into Panama is permitted without restriction, both for personal and propagational use.
- **Religious education:** *members of non-Catholic religious groups said the constitution was ambiguous, in that it forbade religious discrimination, yet designated Catholicism as the sole religion taught in public schools.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Panama's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Panama to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Baha'is:** *according to a Baha'i representative, during the year Baha'i members encountered administrative difficulties with local and central authorities. Some Baha'is said challenges in resolving such issues resulted from their minority religious status. As an example, they cited informal street vendors who illegally installed kiosks at the entrance of the private road to their temple. The congregation made numerous formal complaints to the local mayor's office about the illegal kiosks, but without successful resolution. By year's end, the mayor's office had taken no action and, according to the Baha'i community, had failed to respond to follow-up telephone calls. The operating concession for a Baha'i radio station in Soloy town in the Ngabe Bugle territory expired during the year, and Baha'i representatives filed for an extension with the Public Services Authority (ASEP), which regulates communications. According to concerned individuals, ASEP officers mistakenly classified their request as a commercial one despite the Baha'is' status as a registered religious denomination with legal*

standing as a nonprofit organization. At year's end, ASEP had not corrected the file nor extended the concession.

Overview

- State privilege is granted to Catholicism as the denomination "of the majority."
- A system of partial recognition is in effect whereby non-Catholic may gain legal status as "religious associations" but this does not correspond to the same level of existential recognition enjoyed by the Catholic Church in the country.
- Recognition and registration are differentiated however existential recognition is only bestowed to the Catholic Church while legal registration is the primary means of recognition available to non-Catholic groups.
- Informational and administrative requirements for registration seem appropriate although will require continued monitoring to ensure they are not unduly expanded or misapplied.,
- The involvement of the cabinet introduces undue politicisation of the registration process.

Positive elements

- Freedom of religion or belief is broadly upheld in practice by the government.

Recommendations

- Establish a revitalised recognition system that has the capacity to bestow both existential recognition and legal registration to all belief systems and their derivatives sufficiently and appropriately and at multiple levels of operation and activity.
- Remove any instances of politicisation of registration; revoke the policy of non-recognition for all non-Catholics groups.
- To become Dynamic, the Panamanian government would need to establish a recognition agency that would manage the newly established recognition system independently from government.

Restriction tools implemented

- Partial recognition is in effect.
- Politicisation of the registration process is somewhat in effect.
- Some ambiguity exists in the legislation that could be vulnerable to misuse.
- State privilege is in effect for the Catholic Church.
- Stipulatory registration.

History of RoRB classification

- Panama was classified Receptive in the RoRB Index of 2021.
- However, due to the identification of a pseudo-mandatory element of its registration procedure, Panama was reclassified Restrictive for the 2022 RoRB Index.

Papua New Guinea, Independent State of — Apathetic

RoRB and national identity

- The Constitution of Papua New Guinea makes an explicit claim to freedom of religion or belief and this claim is generally upheld in practice by the government.
- The Independent State of Papua New Guinea is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Papua New Guinea.
 - **Potential establishment of Christianity:** *in April 2021, the Department of Community Development and Religion and the Papua New Guinea Constitutional Law Reform Commission finalised drafting instructions on a constitutional amendment that would define the country as Christian. From April to June, Prime Minister Marape conducted a nationwide poll on the proposed amendment. Media reported Marape said the change would not take away the rights of a person as enumerated in the constitution, but it would reflect the fact that the majority of citizens in the country practice Christianity. He said, “There is a need to redefine and give absolute prominence to our Christian beliefs....In our nation of a thousand tribes, I believe Christianity can bind us together as one nation.” Marape said the government would commit two million kina (\$570,000) to help in the polling process and another three million kina (\$855,000) for a unity pillar monument at the Peace Park in Port Moresby meant to symbolise the country’s Christian identity. Peace Park is located on land owned by the National Spiritual Assembly of Baha’is, which at year’s end was in litigation with the government over the issue. The results of the public poll had not yet been presented to parliament at year’s*

end. Political opponents, civil society groups, and some religious groups, including the PNG Council of Churches, Catholic Church, Baha'i Faith, Evangelical Lutheran Church, and the Evangelical Alliance, objected to the proposed amendment, saying the country did not have an exclusive ethnic or religious affiliation, and that the controversy could potentially cause a "holy war" among the largest faith groups for supremacy of one denomination over the others and against religious minorities. They said if the country were declared Christian, the government would be obliged to identify which denomination was the state church. Some religious opponents of the amendment also said it would undercut the sentiment that all people are children of God.

- Evaluations
 - The lack of existential recognition for belief systems and their communities in Papua New Guinea demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups are not required to register with the government in order to conduct basic religious activities such as worship services, propagation of their beliefs and hosting events and gatherings.
 - **Registration benefits:** a bank account, own properties in the religious group's name, have limited individual liability (suggests **individual liability** for unregistered groups), and apply to the Internal Revenue Commission for exemption on income tax and to the Department of Treasury for exemption of import duty.
 - **Procedure:** to register, groups must provide documentation including a list of board or executive committee members and a constitution.

- Evaluations

- The imposition of a stipulatory registration policy in Papua New Guinea is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Papua New Guinea as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Papua New Guinea is permitted without restriction, both for personal and propagational use.
 - It is prohibited to import “literature that incites disaffection, ill-will or hostility against the Government or Constitution of Papua New Guinea or among its people so as to endanger the peace, order or good governance of Papua New Guinea”. It is possible that the broad nature of this condition could result in its application to unfavoured religious groups that attempt to import their texts or items into the country.
 - **Foreign missionary activity:** missionaries may enter the country on special work visas which involves a fee lower than that for other visa categories. *Religious workers receive a three-year special exemption visa from the government. Applications for the visa require a sponsor letter from a religious group in the country, an approved work permit from the Department of Labor and Industrial Relations, and a 100 kina (\$28) fee.*
- Penal code

- There is nothing of particular concern to RoRB standards in the present version of Papua New Guinea's penal code.
- Facilitation of religion or belief
 - **Interdenominational dialogue:** *the PNGCC continued to work with provincial governments to establish provincial church councils.*
 - **Ombudsmanship:** *there is currently no ombudsman office established in Papua New Guinea to investigate cases of human rights violation in the country.*
 - **State funding:** *individual members of parliament continued to provide grants of government money to religious institutions in their constituencies to carry out religious activities. All of these institutions were Christian.*
 - *The government continued to fund churches to deliver health and education services through the Church-State Partnership Program, which received additional funding from international partners. PNGCC member churches – including the Anglican, Seventh-day Adventist, Baptist Union, Roman Catholic, United, and Evangelical Lutheran Churches, and the Salvation Army, as well as other churches and organizations as associate members – continued to operate approximately 60 percent of schools and health services in the country, and the government subsidised these institutions using a formula based on the number of schools and health centres run by each church. In addition, the government continued to pay the salaries of and provide benefits for the majority of teachers and health staff (generally members of the civil service) who worked at these church-administered institutions, as it did for teachers and health staff of national institutions. The church-administered institutions provided services to the general population irrespective of religious beliefs, and operations were not religious in nature.*

Social dimensions of RoRB

- **Muslims:** anti-Muslim rhetoric that has accompanied the arrival of Muslim refugees.
- **New religious movements:** there have been reports of larger churches criticising newer and smaller groups.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration rather than existential recognition; a procedure is established for all groups to register legally in the country with a separate subsequent procedure for tax exemption.
- Informational requirements seem appropriate although continued monitoring is required to ensure requirements are not unduly expanded or are not unjustly applied.
- Intolerance from larger churches is considered to be a result of inconsistencies within the recognition system in its bestowing authority of recognition for all newer and smaller groups.

Positive elements

- Freedom of religion or belief is generally thought not broadly upheld by the government.

Recommendations

- Establish a revitalised recognition system that has the capacity to bestow both existential recognition and legal registration to all belief systems and their derivatives sufficiently and appropriately and at multiple levels of operation and activity.
- To become Dynamic, the Papua New Guinean government would need to establish a recognition agency that would manage the newly established recognition system independently from government.

Restriction tools implemented

- A lack of provisions for existential recognition.
- Some legislation is not clear and some aspects of religious life remain unaddressed.
- Stipulatory registration.
- Unstructure exists within system.

History of RoRB classification

- Papua New Guinea has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Paraguay, Republic of — Restrictive

RoRB and national identity

- The Constitution of Paraguay makes an explicit claim to freedom of religion or belief, a claim that the government generally upholds in practice though with some infractions.
- The Republic of Paraguay is a secular state.
- The Constitution of Paraguay extends state privilege to Catholic Church does not establish it as the state denomination.
- According to the constitution, the relationship between the state and the Roman Catholic Church is based on “independence, cooperation, and autonomy.” The Church, however, must comply with all regulations the state imposes on other religious groups.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than the Catholic Church in Paraguay due to its receipt of constitutional recognition.
- Evaluations
 - The lack of existential recognition in Paraguay for any denomination other than the Catholic Church is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Quasi-mandatory registration:** the government requests that all groups religious or philosophical register with it. *The VMW did not impose penalties or monetary sanctions on religious groups that did not complete its mandatory*

registration or reregistration process by the end of the year, extending the deadline indefinitely with the intention of reassessing annually based on the status of the COVID-19 pandemic and progress made in implementing a fully virtual registration process. The VMW continued to focus on raising public awareness of the registration law and stated it continued to implement the registration law consistently across religious groups. According to the VMW, once it received all required information and documents from a religious group, it completed the process in 15 days.

- **Procedure:** all groups must register with the Vice Ministry of Worship (VMW) by submitting a 14 item application with supporting documentation.
- **Secondary procedure:** the National Anti-Money Laundering Secretariat requires that all religious organisations register with it under a separate procedure as non-financial agents.
- **Legal designation:** religious groups are regarded as nonprofit organisations in legal terms. Non-financial agent is another legal designation used to refer to religious groups in the country.
- **Informational requirements:** entity name, mission or vision, history in the country, church or temple addresses, membership size, and types of activities. *The VMW also requires the certification of a legal representative and the entity's bylaws as supporting documentation for registration. VMW regulations require that names of religious entities be sufficiently distinguishable to avoid confusing worshippers.* Religious leaders must submit to financial and criminal background checks.
- **Monitorial requirements:** submission of annual reports stating the organisation's key leadership and functions.
- **Reregistration:** all groups must gain recertification annually or their legal status will be revoked. Annual recertification requires groups to resubmit the registration form with updated information.
- **Registration fee:** one-time fee of 125,000 guaranies (\$18) and an annual reregistration fee of 62,000 guaranies (\$9).
- **Unregistration:** the VMW may apply non-monetary administrative sanctions against organisations that fail to

register, including ordering the suspension of religious services.

- **Registration rate:** *the VMW reported that 17 new groups registered during the year, bringing the total of religious groups having active registrations with the government to 586. Of the 586 groups, 407 did not renew their registration during the year, taking advantage of the VMW's indefinite extension of the renewal period due to the COVID-19 pandemic. The VMW stated it considered these groups to be actively registered.*
 - *According to the VMW, approximately 50 percent of religious groups were registered at year's end, compared with 15 percent reported the previous year. VMW representatives attributed the discrepancy to an effort to digitalise VMW records over the past year, allowing more accurate statistics and a better estimate of the number of non-registered religious groups, which the revised data showed to be much lower than 2020 estimates. Although the VMW continued to offer electronic (email) registration, the requirement to travel to Asuncion to pay registration fees and pick up proof of registration remained a major barrier for submitting and renewing applications.*

- Evaluations

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Paraguay as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** *foreign missionaries who are members of registered religious groups are eligible for no-cost residency visas from the Ministry of Foreign Affairs. Missionaries must also register annually with the VMW to receive official documentation identifying their status.*

Missionaries choosing not to register may enter the country on tourist visas. A law provides for Mennonites to implement their own education programs and exempts them from military service based on their religious beliefs.

- **Hierarcy:** it remains unclear whether the importation of religious materials or devotional items into Paraguay, especially for propagational purposes, is contingent on that religious group's registration with the government. Importing religious texts and other religious items for personal use is permitted.
- **Pastoral services:** *the government continued to support chaplaincy programs open to all religious groups in the armed forces. The programs included the training of clergy to provide services to members of the armed forces deployed either in combat zones or on peacekeeping missions. The government also continued to allow all registered religious groups to operate in and provide their services within prisons for adults and youth. During the year, however, only Roman Catholic and Protestant groups made use of this option.*
- **Political activity:** the law allows political parties based on a specific faith, but the constitution prohibits active members of the clergy from any religious group from running for public office.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Paraguay's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Paraguay to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Non-Catholics:** the cultural dominance of the Catholic Church has spread further into public and private life, sometimes to the detriment of individual rights. Religious groups unaffiliated with the Catholic Church claim the government disproportionately subsidises Catholic schools.
- **Protestants:** *the Catholic Christian Apostolic National Church of Paraguay (ICCAN) in August 2021 began its third attempt to officially register with the VMW, after VMW rejected its second request in 2020. By year's end, VMW had not approved ICCAN's request. The VMW said it did not approve ICCAN's registration due to the inclusion of "Catholic" in its title, making ICCAN's name not sufficiently distinguishable from the Roman Catholic Church. The VMW had stated there was no other reason for its decision and would approve ICCAN's registration if the two religious groups could agree on an acceptable change to ICCAN's official name. An ICCAN representative stated he believed the VMW's justification was not in accordance with the law, and suggested VMW officials were following instructions from the Roman Catholic Church.*
- **Indigenous communities:** there have also been concerns from human rights groups that indigenous holidays are not respected by employers of other religious backgrounds.

Overview

- A small degree of state privilege is bestowed to the Catholic Church due to its "cultural dominance" yet it must also comply with state regulations.
- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration with there existing few to no provisions for existential recognition.
- Informational requirements, though basic, are intrusive by their nature, particularly as they are likely to be used against the group during the registration procedure.
- The rule of mandatory registration violates the Bielefeldt provision.

Positive elements

- Freedom of religion or belief is generally thought not universally upheld by the government.
- Horizontal recognition is in effect.

Recommendations

- Revoke the rule of mandatory registration, reregistration and annualisation as restriction tools.
- Establish a revitalised recognition system that has the capacity to bestow both existential recognition and legal registration to all belief systems and their derivatives sufficiently and appropriately and at multiple levels of operation and activity.
- To become dynamic, the Paraguayan government would need to establish a recognition agency that would manage the newly established recognition system independently from government.

Restriction tools implemented

- Annualisation of the registration fee.
- Mandatory registration for all religious groups.
- Registration restriction tool is in effect (called recertification).
- Unstructure exists in the system.

History of RoRB classification

- Paraguay has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Peru, Republic of — Receptive

RoRB and national identity

- The Constitution of Peru makes an explicit claim to freedom of religion or belief, a claim that is broadly upheld in practice by the government.
- The Republic of Peru is a secular state.
- The Constitution of Peru extends state privilege to the Catholic Church but does not establish it as the state denomination.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreement:** a concordat between the government and the Holy See signed in 1980 accords the Catholic Church certain institutional privileges in education, taxation, and immigration of religious workers.
- Evaluations
 - The non-existence of bilateral cooperation agreements for any denomination other than the Catholic Church is impermissible to RoRB standards; procedure for the establishment BCAs should be expanded to all groups both new religious movements and minorities.

Registration law

- Structures and procedures of legal registration
 - **Unconditional registration:** the government does not require religious groups to register with it in order to conduct basic religious activities and religious groups do not have to register to obtain institutional benefits. The regulations allow all religious groups, registered or not, to apply for tax exemptions and worker or resident visas directly with the pertinent government institutions. This policy of

unconditional registration demonstrates Peru's near-dynamic status in the SRR.

- **Legal designation:** religious groups are given the legal designation of non-profit organisation.
- **Procedure:** the Ministry of Justice and Human Rights (MOJ) oversees religious groups with the Office of Catholic Church Affairs dedicated to dealings with the Catholic Church and the Office of Interconfessional Affairs dedicated to dealings with all non-Catholic religious groups. Registration is free, the process usually takes one week, and the MOJ helps in completing the application forms.
- **Abolition of membership quota:** *in May 2021, the Constitutional Court ruled it was unconstitutional to require a religious entity to have a minimum number of members to register with the MOJ. In response, the MOJ amended registry regulations in July, eliminating the requirement for a minimum number of members for a religious group, previously set at 500.*
- **Registration rate:** *during the year, the government registered 166 non-Catholic groups, compared with 156 in 2020. Among the newly registered groups were the International Center of Holistic Theo-Therapy, Peruvian Association of the Sokka Gakkai International, the Hallelujah Christian Community, Church of God of Prophecies, Evangelical Church of the Peruvian Northeast, and United Korean Christian Church of Peru. According to the MOJ and local interfaith groups, the government accepted and approved applications from all interested religious groups, with no reported denials. In December, the MOJ director general for justice and religious affairs and the MOJ director for interreligious affairs (in charge of the state's relationship with non-Catholic groups) affirmed the government's commitment to advancing religious freedom and the fair and equal treatment of all religious beliefs before the law.*

- Evaluations

- Unconditional registration is permissible to RoRB standards.
- A secular state's establishment of a separate government office for dealings with one denomination separate from the

office that deals with all other denominations is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Peru as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Catholic property:** *a religious freedom law exempts Catholic Church buildings, houses, and other real estate holdings from property taxes.*
 - **Non-Catholic property:** *other religious groups often must pay property taxes on their schools and clerical residences, depending on the municipal jurisdiction and whether the group seeks and/or receives tax-exempt status as a non-profit organisation.*
 - **Foreign missionary activity:** *foreign religious workers must apply for a visa through the National Superintendency for Migration (SNM) of the Ministry of Interior. If the religious group registers with the MOJ, the SNM accepts this as proof the applicant group is a religious organization. If the group does not register with the MOJ, the SNM makes its decision on a case-by-case basis.*
 - **Hieronymy:** *the importation of religious materials or devotional items into Peru is permitted without restriction, both for personal and propagational use.*
 - **Income tax:** *the government also exempts all work-related earnings of Catholic priests and bishops from income taxes. A 2018 temporary exemption of these taxes for non-Catholic religious groups was in place through December 31.*

- **International travel:** the law exempts Catholic religious workers from taxes on international travel.
- **Pastoral activity:** the military may employ only Catholic clergy as chaplains. *By law, all prisoners, regardless of their religious affiliation, may practice their religion and seek the ministry of someone of the same faith.*
- **Religious holidays:** *the law requires all employers to accommodate the religious days and holidays of all employees; this accommodation includes allowing an employee to use annual vacation leave for this purpose.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Peru's penal code.
- Facilitation of religion or belief
 - The stated purpose of the registration process for religious groups is to promote integrity and facilitate a relationship with the government.
 - **Interreligious dialogue:** *the Interreligious Council of Peru, whose members include the Roman Catholic Church, Islamic Association of Peru, Jewish Association of Peru, Baha'i Community of Peru, Brahma Kumaris of Peru, Methodist Church of Peru, and Union of Evangelical Churches of Peru, among others, continued to engage the MOJ to promote religious freedom principles, such as equal access to government benefits for all religious groups (e.g., tax exemptions on income, imports, property, and sales; and visas for religious workers), and the opportunity to serve as military chaplains, all benefits for which the Catholic Church automatically qualifies but for which other religious groups must apply.*
 - **Ombudsmanship:** the Public Defender is the ombudsman agency for Peru, a role that was formally established in 1996 and is responsible for investigating claims of

maladministration, discrimination and human rights violation in the country.

- **State funding:** *according to the MOJ's Office of Catholic Affairs, the government provided an annual grant of approximately 2.6 million soles (\$655,000) to the Catholic Church for stipends to archbishops and pastors, in accordance with the concordat with the Holy See. Each of the 45 Catholic ecclesiastical jurisdictions in the country also received a monthly subsidy of 1,000 soles (\$250) for maintenance and repairs of church buildings, some of them of significant historical and cultural value. Some Catholic clergy and laypersons employed by the Church received subsidies from the government, in addition to these funds. These individuals represented approximately 8 percent of the Catholic clergy and pastoral agents. According to Catholic Church representatives, the Church used these and other Church funds to provide humanitarian services to the poor, regardless of their religious affiliation or non-affiliation. Similar stipends were not available to other religious groups.*

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Peru for this First Edition of *Recognition of Religion or Belief*.

Overview

- State privilege is bestowed to the Catholic Church.
- A bilateral cooperation agreement is established between the Holy See and the Peruvian government; the accessibility for similar bilateral agreements to be established for other religious organisations and denominations remains unclear.
- Different procedures exist for the registering of Catholic groups and organisations than for non-Catholic groups.

Positive elements

- Freedom of religion or belief is generally upheld by the government.
- The government supports applicant groups in their registration process and facilitates relations with all religious groups.
- Peru is close to dynamic status.

Recommendations

- Establish distinct provisions for existential recognition separate from legal registration.
- Establish a recognition agency that manages the established recognition system independently of government.
- Revoke state privilege or apply it to all religious groups.

Restriction tools implemented

- Partial recognition.
- State privilege is in effect.
- Stipulatory registration.

History of RoRB classification

- Peru has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Philippines, Republic of the — Receptive

RoRB and national identity

- The Constitution of the Philippines makes an explicit claim to freedom of religion or belief, a claim that the government generally upholds in practice though with some infractions.
- The Republic of the Philippines is a secular state.
- The government extends to the Catholic Church state privilege.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in the Philippines.
 - **State privilege:** *during the year, after limited religious gatherings began to be allowed toward the end of 2020, minority religious groups raised concerns that the government prioritised the reopening of Catholic Church religious facilities over those of minority religious groups. They said the government allowed Catholic gatherings to have a higher maximum occupancy limit once churches were reopened for services.*
- Evaluations
 - The lack of existential recognition for belief systems and their communities in the Philippines demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration

- **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct what RoRB standards classify as “basic religious activities.” However, for religious groups to receive tax-exempt status, registration is compulsory although there are no specified penalties for failure to register with the SEC except that the group won’t receive exemptions from taxation.
 - **Procedure:** the religious group should submit an application to both the Securities and Exchange Commission (SEC) and the Bureau of Internal Revenue (BIR).
 - **Secondary procedure:** the second part of the process deals with the BIR which dispenses tax exemptions. *To register as a non-stock, nonprofit organisation, religious groups must meet the basic requirements for corporate registration with the BIR and must request tax exemption from the BIR.*
 - **Informational requirements:** a name verification of the religious corporation, articles of incorporation and bylaws, the name of a director, list of members, and a list of financial contributors.
 - **Non-compliance:** the BIR may fine religious corporations for the late filing of registrations or for failing to submit registration data sheets and financial statements.
 - **Reregistration:** the tax-exempt status of religious corporations is reviewed for renewal triennially.
 - **Legal designation:** religious groups are classified as religious corporations under the law.
 - **Registration benefits:** tax exemption.
 - **Informational requirements:** articles of faith and bylaws.
 - **Monitorial requirements:** annual financial statements must be submitted to the SEC by registered religious corporations.
- Evaluations
 - The imposition of a stipulatory registration policy in the Philippines is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic

religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.

- The informational and monitorial requirements requested as part of registration procedures are permissible to RoRB standards in their present form and in how they have been presented.
- A reregistration policy imposed every three years is permissible to RoRB standards (as the minimum period for reregistration).
- The capacity for the BIR to fine religious groups is impermissible to RoRB standards; instead, the recommendation is that groups non-compliant with registration law are deregistered and therefore no longer continue to receive benefits of registration rather than the imposition of fines.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in the Philippines as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Broadcasting:** *Muslim officials continued to report that while Muslim prison detainees were allowed to engage in religious observances, Roman Catholic Mass was often broadcast by loudspeaker to both Catholic and non-Catholic prison populations.*
 - **Hieronymy:** the importation of religious materials or devotional items into the Philippines is permitted without restriction, both for personal and propagational use.
 - **Pilgrimage:** *the NCMF’s Bureau of Pilgrimage and Endowment is responsible for administering logistics for the Hajj, such as*

obtaining flight schedules, administering vaccines, coordinating with the Department of Foreign Affairs to process Hajj passports, filing Hajj visa applications at the Saudi embassy, and conducting predeparture orientations for pilgrims. The NCMF also administers the awqaf (an endowment for the upkeep of Islamic properties and institutions) and continues to oversee the establishment and maintenance of Islamic centres and other projects.

- **Religious education:** *madrassahs continued to have the option of registering with the NCMF or the Department of Education, both, or neither. Registered madrassahs received government funding and produced curricula that were subject to government oversight. The Department of Education did not provide updates during the year. There were 19 private madrassahs registered with the Department of Education during the 2021-2022 school year, down from 85 in 2018-19. The Department of Education attributed the decrease in the number of registered private madrassahs to the implementation of the Bangsamoro Organic Law because the majority of private madrassahs were located within the BARMM and were not included in this count. Additionally, some private madrassahs chose to remain unregistered rather than allow government oversight, according to Department of Education representatives.*

- Penal code

- **Interruption of religious services:** the law forbids public officials from interrupting religious worship as well as any person “notoriously” offending religious feelings during such services or in a place of worship.

- Facilitation of religion or belief

- **Ombudsmanship:** the Office of the Ombudsman of the Philippines, established through the 1987 Constitution, performs the role of ombudsperson in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in the Philippines for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration with few to no provisions for existential recognition.
- Procedures for the registration of religious entities and secular corporate entities are amalgamated rather than ideally distinguished.
- The requirement to submit annual financial statements seems appropriate although procedures surrounding this require monitoring.
- Informational requirements for the registration procedure are intrusive.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Establish separate procedures for religious entity registration and then for existential recognition and legal registration, all distinguished from the procedures established for secular and corporate entities.
- Revoke the triennial reregistration policy and the other identified restriction tools such as secondary procedures, dual registration and excessive informational requirements.
- To become Dynamic, the Filipino government would need to establish a recognition agency that would manage the newly established recognition system independently from government.

Restriction tools implemented

- Ambiguity persists in the legislation.

- Failure to file sufficient documents and data sheets results in a fine.
- Intrusive informational requirements.
- Partial recognition is in effect.
- State privilege is widespread for the Catholic Church.
- Stipulatory registration.
- Triennial registration.
- Unstructure exists in the system.

History of RoRB classification

- The Philippines was classified Restrictive in the SRR in the first edition of the RoRB Index in 2021.
- However, the RoRB Index of 2022 is reclassified upwards to Receptive classification.

Poland, Republic of — Receptive

RoRB and national identity

- The Constitution of Poland makes an explicit claim to freedom of religion or belief and this right is generally upheld in practice.
- The Republic of Poland is a secular state.
- Poland extends state privilege to the Catholic Church but does not establish it as the state denomination.
- The PiS government is aligned with the Roman Catholic Church, which wields significant influence in the country.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** *the constitution specifies that relations with the Roman Catholic Church shall be determined by an international concordat concluded with the Holy See and by statute, and relations with other churches and religious organisations by statutes adopted pursuant to agreements between representatives of these groups and the Council of Ministers.*
 - *Specific legislation governs the relationship of 15 religious groups with the state, outlining the structure of that relationship and procedures for communal property restitution. The 15 religious groups are the Roman Catholic Church, Polish Orthodox Church, Evangelical-Augsburg (Lutheran) Church, Evangelical Reformed Church, Methodist Church, Baptist Church, Seventh-day Adventist Church, Polish National Catholic Church, Pentecostal Church, the Union of Jewish Communities in Poland, Mariavite Church, Old Catholic Mariavite Church, Old Eastern Orthodox Church, Muslim Religious Union, and Karaim Religious Union. Marriages performed by officials from 11 of these groups do not require further registration at a civil registry office; however, the Mariavite Church, Muslim Religious Union, Karaim Religious Union, and Old Eastern Orthodox Church do not have that right. An additional 170 registered religious*

groups and five aggregate religious organizations (the Polish Ecumenical Council, Polish Buddhist Union, Biblical Society, Evangelical Alliance, and Council of Protestant Churches) do not have a statutorily defined relationship with the state.

- Evaluations
 - Poland's provision of bilateral cooperation agreements is welcomed although these provisions need to be extended to include new, alternative and minority denominations.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct what RoRB standards classify as “basic religious activities”.
 - **Procedure:** a religious groups should submit a notarised application to the Ministry of Interior and Administration (MIA) which deals with religious registration in Poland.
 - **Informational requirements:** the personal information of at least 100 citizen members; details about the group's activities in the country; background on the group's doctrine and practices; a charter and physical address; identifying information about its leaders; a description of the role of the clergy, if applicable; and information on funding sources and methods of new member recruitment.
 - **Membership quota:** at least 100 citizen members.
 - **Registration benefits:** registered religious groups are exempt from import tariffs, property taxes, and income tax on their educational, scientific, cultural, and legal activities, and their official representatives are also exempt from income and property taxes, and have the right to acquire property and teach religion in schools.
 - **Registration rate:** 188 registered and statutorily recognised religious groups and organisations.
 - **Unregistration:** unregistered groups may worship, proselytize, publish, or import religious literature freely, and bring in foreign missionaries, but they have no legal

recognition and are unable to undertake certain functions such as owning property or holding bank accounts in their name.

- **Denial of registration:** if the ministry rejects the registration application, religious groups may appeal to an administrative court. By law, the permissible grounds for refusal of an application are failure to meet formal requirements or inclusion in the application of provisions that may violate public safety and order, health, public morality, parental authority or freedom, and rights of other persons.
- **Deregistration:** *on July 6 2021, the Provincial Administrative Court in Warsaw suspended an MIA December 2020 decision to remove the Reformed Catholic Church from the official registry of churches and religious denominations, determining the implementation of the ministry's decision could irreversibly affect the Church's ability to operate. The decision was to remain suspended until the Administrative Court ruled on the issue. The Church appealed the decision to the court on January 21, but at year's end, the suspension remained in place. While the removal is suspended, the Reformed Church may operate as before. Prosecutor General Zbigniew Ziobro had initiated a case to deregister the Reformed Catholic Church in July 2020 when he filed a motion with the MIA to invalidate the January 2020 registration of the Church, arguing that it had failed to meet several requirements. In September 2020, the MIA ruled the Church's registration invalid because registering the Church, the only registered group that recognized same-sex marriages, violated the constitution, which defined marriage as "a union of a woman and a man." In October 2020, the Church filed a motion with the MIA requesting it to reverse its decision. The Church and the ombudsman stated the MIA's decision was inconsistent with the constitutional provision providing for the autonomy and independence of religious organizations in relations with the state. According to the ombudsman, the prosecutor general's intervention following the registration of a religious group was unprecedented. In December 2020, the MIA upheld its previous decision to deregister the Church.*

- *In January 2021, the MIA refused to register the Multi-Denominational Church of Visual Artists for failure to meet formal registration requirements. The group had filed a motion for registration with the MIA in September 2020. In March, the MIA approved the registration of the National Catholic Church, and in December, it approved the registration of the Natural Church.*
- Evaluations
 - The imposition of a stipulatory registration policy in Poland is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.
 - The inability for unregistered religious groups to own property is impermissible to RoRB standards.
 - The informational requirements requested as part of registration procedures are excessive and thereby impermissible to RoRB standards.
 - The imposition of a membership quota onto registrant religious groups in Poland is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Poland as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Poland is permitted without restriction, both for personal and propagational use.

- **Places of worship:** there is a formal ban on state funding for church construction, but a church can obtain Culture Ministry funding in practice if, like the Temple of Divine Providence in Warsaw, it includes a museum.
- **Religious property:** *according to MIA statistics, the religious community property commissions resolved 38 communal property claims during the first nine months of the year, out of approximately 2,912 pending claims by religious groups, compared with 26 claims resolved during the same period in the previous year. At the end of September, the commissions had partially or entirely resolved 2,893 of the 5,504 total claims by the Jewish community deemed valid by the commission (the commission had previously dismissed 40 as invalid), 992 of 1,182 claims by the Lutheran community, 376 of 472 claims by the Orthodox Church, and 90 of 170 claims by all other denominations.*
- **Restitution:** *there is no comprehensive national law governing private property restitution. Members of religious groups, like other private claimants, may pursue restitution through the courts.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Poland's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Polish Ombudsman is the *Rzecznik Praw Obywatelskich* which translates as the Commissioner for Protection of Civil Rights.

Social dimensions of RoRB

- **Minorities:** minority faiths are generally able to obtain registration in practice.

Overview

- State privilege is bestowed to the Catholic Church throughout state institutions.
- A bilateral cooperation agreement exists between the Holy See and the Polish government; similar agreements are accessible for other (perhaps not all) religious organisations and denominations; whether the contents of these agreements results in the same degree of recognition that the Catholic Church receives is unlikely.
- A situation of partial recognition is in effect because even if a non-Catholic group succeeds in its registration, this does not equate to the level of recognition bestowed to the Catholic Church.
- Informational requirements are intrusive, particularly membership quotas and the use of information submitted is likely used against groups to restrict their activities or to deny their registration.

Positive elements

- Freedom of religion or belief is generally, yet not universally, upheld by the state.

Recommendations

- Revoke state privilege for the Catholic Church except if such privileges are also equally bestowed to all religious denominations.
- Establish a revitalised recognition system that has the capacity to bestow both existential recognition and legal registration to all belief systems and their derivatives sufficiently and appropriately and at multiple levels of operation and activity.
- To become dynamic, the Polish government would need to establish a recognition agency that would manage the newly established recognition system independently from government.
- Revoke the excessive informational requirements and the membership quota.

Restriction tools implemented

- Membership quotas are in effect.
- Partial recognition is in effect.
- State privilege is in effect.
- Stipulatory registration.
- The use of subjective language in the legislation, particularly with regards to the broad scope given to registration denial, is restrictive.

History of RoRB classification

- Poland was originally classified Restrictive in the RoRB Index of 2021.
- However, in the 2022 RoRB Index, Poland was reclassified Receptive in the SRR but ongoing problems with state privilege granted to the Catholic Church were still acknowledged.

Portuguese Republic — Restrictive

RoRB and national identity

- The Portuguese Constitutions makes an explicit claim to freedom of religion or belief, a claim that is generally upheld by the government in practice though with some infractions.
- The Portuguese Republic is a secular state.
- The Catholic Church is granted state privilege in the Portuguese Republic.

Recognition law

- Structures and procedures for existential recognition
 - The Religious Freedom Commission (CLR) is an independent, consultative body to parliament and the government, established by law. Its members include two representatives of the Portuguese Episcopal Conference (Roman Catholic); three religious representatives appointed by the Ministry of Justice from the Evangelical Alliance, Islamic Community of Lisbon, and Jewish Community of Lisbon; and five laypersons, three of whom are affiliated with the Ismaili Muslim, Hindu, and Buddhist communities. The Council of Ministers appoints its president.
 - **Religion settled in the country:** a form of existential recognition employed in Portugal for certain religious groups to distinguish them from those merely registered.
 - **Longevity quota:** must be registered in Portugal for at least 30 years or internationally recognised for 60 years.
 - **Qualifications:** religious groups must demonstrate an “organised social presence” for the required length of time.
 - **Registration benefits:** these kinds of religious groups receive government subsidies based on the number of their members; may conclude “mutual interest” agreements with the state on issues such as education, culture, or other forms of cooperation; and may celebrate marriages that are recognised by the state legal system.
 - **Registration rate:** more than 800 groups have this status.

- **Bilateral cooperation agreements:** the government has mutual interest agreements with Jewish and Islamic religious bodies and a concordat with the Holy See that serves the same function for the Catholic Church.
- Evaluations
 - Portugal's provision of bilateral cooperation agreements is welcomed although these provisions need to be extended to include new, alternative and minority denominations.
 - The imposition of a longevity quota is impermissible to RoRB standards as are the state qualifications for existential recognition.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although religious groups are not mandated by the government to register, groups that do not register or fail to achieve the criteria for registration are not able to engage in activities classified as “basic religious activities”.
 - **Procedure:** religious groups should send an application to the Ministry of Justice, specifically the registrar of religious groups. It is important that subsidiary and affiliated organisations are included in the parent group's registration application unless they will need to be registered separately.
 - **Alternative procedure:** religious groups may alternatively register as unincorporated associations which involves the same procedure as registration as a religious corporation. There are no practical differences between associations and private corporations; the different categories distinguish the groups' internal administration.
 - **Registration benefits:** the same benefits granted to religious corporations.
 - **Legal designation:** religious corporate body or religious corporation is the primary legal designation for religious

groups in Portugal but there are three specific ways that religious groups in the country may organise themselves with either national, regional or local character. There is an alternative legal designation of an unincorporated association or private association.

- **Denominations:** one national church or religious community or as several regional or local churches or religious communities.
- **Representative organisation:** an international church or religious community may establish a representative organisation of its adherents separate from the branch of the church or religious community existing in the country.
- **Subsidiary or affiliated organisation:** a registered church or religious community may create subsidiary or affiliated organisations, such as associations, foundations, or federations.
- **Informational requirements:** the organisation's official name; the organising documents of the church or religious community associated with the group applying for registration; the address of the organisation's registered main office in the country; a statement of the group's religious purposes; documentation of the organisation's assets; information on the organisation's formation, composition, rules, and activities; provisions for dissolution of the organisation; and the appointment method and powers of the organisation's representatives.
- **Qualifications:** an applicant religious group's name must be distinguishable from all other religious corporate bodies in the country.
- **Registration benefits:** tax-exempt status; the right to minister in prisons, hospitals, and military facilities (a basic religious activity); provide religious teaching in public schools; participate in broadcasting time on public television and radio (a basic religious activity); and receive national recognition of religious holidays; chaplaincies for military services, prisons, and hospitals are state-funded positions open to all registered religious groups; a taxpayer may allocate 5 percent of income tax payments to any registered religious group.

- **Denial of registration:** the ministry may reject a registration application if it fails to meet legal requirements, includes false documentation, or violates the constitutional right of religious freedom. If the ministry rejects an application, religious groups may appeal to the CLR within 30 days of receiving the ministry's decision.
 - **Unregistration:** unregistered religious groups are not subject to penalties and may practice their religion but do not receive the benefits associated with registration.
- Evaluations
 - The imposition of a pseudo-mandatory registration policy is impermissible to RoRB standards.
 - The informational requirements requested as part of registration procedures are impermissible to RoRB standards due to being excessive.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Portugal as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Broadcasting:** *state-run television channel RTP continued half-hour religious programming five days a week and a separate weekly half-hour program, with segments for both written by registered religious groups.*
 - **Hieronymy:** the importation of religious materials or devotional items into Portugal is permitted without restriction, both for personal and propagational use.
 - **Pastoral services:** *most prisons, state and private hospitals, and military services designated Catholic priests to provide*

chaplaincy services, but these positions were open to clergy of all religious groups.

- **Religious leadership:** the government certifies religious ministers, who receive all the benefits of the social security system.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Portugal's penal code.
- Facilitation of religion or belief
 - **Interreligious and state-religion outreach dialogue:** the ACM continued to hold monthly online meetings with religious groups to consult on issues such as coordination for broader representation of religious groups in chaplaincies as needed, organization of interreligious youth events, and contributions to preparing and celebrating the 50th anniversary of the 25th of April Revolution, set to take place in 2024. According to the ACM, groups often sought financial assistance from the ACM for conferences and other events.
 - **Ombudsmanship:** the CLR reviews and takes a position on all matters relating to the application of the law on religious freedom, including proposed amendments. The CLR alerts the relevant authorities, including the President, parliament, and others in the government, of cases involving religious freedom and discrimination, such as restrictions or prohibitions on the right to assembly or the holding of religious services; destruction or desecration of religious property; assaults on members and clergy of religious groups; incitement of religious discord; hate speech; and violations of the rights of foreign missionaries.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Portugal for this First Edition of *Recognition of Religion or Belief*.

Overview

- Procedures for existential recognition and legal registration are differentiated in Portugal with sufficient provisions put in place for the securement of both; provisions are given for registration at multiple levels of activity and operation which demonstrates dynamic character.
- Allowing religious entities to decide from a series of options their legal structure in the country is also dynamic in character.
- There exists a lawful body of representatives for religion and belief yet this body is not inclusive of all groups and communities, especially not denominational communities; however, the establishment of such a body does show dynamic character.
- Informational requirements in the registration process are not appropriate and provisions for reapplication in cases of rejection are supportive.
- A relatively small degree of vertical recognition is in effect with regards to the “religion settled in the country” category, access to which is limited by longevity quotas.
- Bilateral cooperation agreements have been established between the government and Jewish, Islamic and Catholic bodies; the degree of accessibility to these agreements for other groups remains unclear.

Positive elements

- Establishment of the CLR, despite its minor issues, is positive especially due to its ability to present human rights abuse cases to government.
- Freedom of religion or belief is broadly upheld by the government.
- Portugal is one of the closest countries to dynamic classification.

Recommendations

- Reorganise the CLR as a recognition agency independent of government control yet retaining the authority of government in matters of religious freedom and religious recognition.
- Revoke the existence of vertical recognition and longevity quotas.

Restriction tools implemented

- Longevity quotas are in effect.
- Stipulatory registration.
- Vertical recognition is in effect.

History of RoRB classification

- Portugal was originally classified Receptive in the first version of the RoRB Index for 2021.
- However, after identifying that the benefits of registration outlined by the government pertain to activities classified “basic” and therefore should not be dependent on registration, Portugal is reclassified Restrictive in the 2022 RoRB Index.

Qatar, State of — Censorious

RoRB and national identity

- A partial claim to freedom of religion or belief is made in the Constitution of Qatar although this is qualified by accordance to the public order and morals and is interpreted through sharia law not international human rights law.
- The Constitution of Qatar establishes Islam as the state religion although makes no specification as to a state denomination.

Recognition law

- Structures and procedures for existential recognition
 - **Recognised groups:** Sunni and Shia Muslims and eight Christian denominations, which are the Roman Catholic, Anglican, Greek Orthodox, Syrian Orthodox, Coptic, Maronite, evangelical Protestant, and the Interdenominational Christian Churches.
 - Protestant denominations other than the recognised eight denominations, including nondenominational house churches, may register with the government with the support of the CCSC, an umbrella organisation consisting of representatives of the eight already registered denominations.
- Evaluations
 - A vertical system of recognition exists in which there resides the state religion, the recognised groups, denominations recognised through the umbrella organisation route, and those denominations unrecognised.

Registration law

- Structures and procedures of legal registration

- **Mandatory registration:** all non-Islamic religious groups are required to register with the government to legally conduct basic religious activities.
 - **Procedure:** as all citizens are regarded Muslim by default, the only non-Islamic groups able to apply for registration are expatriate groups which must submit an application through the Ministry of Foreign Affairs. The Office of the Secretary General of the MFA, working in coordination with the director of the MFA's Human Rights Department, is responsible for handling church affairs. The Ministry of Islamic Affairs oversees the construction of mosques, the hiring of imams, and guidance for sermons.
 - **Registration benefits:** *registered groups may hold bank accounts in the organisation's name, apply for property to build worship space (or have already built structures, such as private villas, recognised as worship spaces to avoid problems with authorities), import religious texts, and publish religious newsletters or flyers for internal distribution. Unregistered entities are unable to open accounts, solicit funds, worship in private spaces legally, acquire religious texts from outside the country, publish religious-themed newsletters or pamphlets, or legally hire staff.*
 - **Unregistration:** it is illegal for an unregistered religious group (i.e., those not registered or under the patronage of one of the registered groups) to hold worship services.
 - **Registration rate:** *the MEIA estimated that there are approximately 2,300 mosques in the country. Government officials estimated that as many as 10 of these were Shia mosques, although online sources stated the number was closer to 15.*
- Evaluations
 - The imposition of a mandatory registration order onto religious groups is impermissible to RoRB standards as it does not correspond to the Bielefeldt provision.
 - The criminalisation of unregistered religious holding worship services is impermissible to RoRB standards.
 - The imposition of a religion by default policy onto Qatari citizens represents a severe misuse of RoRB.

- Various “basic religious activities” are categorised as registration benefits in Qatar which is impermissible to RoRB standards as these activities (e.g. the importation of religious texts) should require a group to be registered in order to freely conduct them.

Law and policy on religion and belief

- Self-identification
 - **Religious conversion:** conversion to another religion away from Islam is regarded as apostasy and is illegal.
- Communal activity
 - **Financial operations:** *church leaders stated their ability to collect and distribute funds for charity continued to be limited by the government’s restrictions on the number and type of bank accounts churches could hold, as well as reporting requirements on donors and on contractors doing business with churches. Some smaller unregistered churches used the personal accounts of religious leaders for church activities.*
 - **Foreign funding:** *government officials stated the MEIA did not allow foreign funding for the building or upkeep of Shia mosques or other community facilities.*
 - **Hierarchy:** the law allows importation of religious holy books, such as Bibles. To import religious materials, groups must submit one copy to the Ministry of Culture and Sports and receive written approval before making large orders or risk having the entire shipment confiscated.
 - **Pastoral services:** *the CCSC reported that Christian clergy were allowed to visit members of their congregations when they were hospitalised and to conduct monthly trips to both male and female prisons to meet with incarcerated Christians.*
 - **Places of worship:** *the only religions registered to have their own places of worship are Islam and Christianity. All mosques*

and Islamic institutions in the country must be registered with the Ministry of Endowments and Islamic Affairs (MEIA). The law designates the MEIA Minister as the final authority for approving Islamic religious centres. The MFA approves non-Islamic houses of worship in coordination with the private office of the emir.

- **Proselytism:** all non-Islamic proselytism, propagation and dissemination is criminalised; this includes both organised proselytism and private proselytism.
- **Public worship:** the law places restrictions on non-Islamic worship. It prohibits non-Muslim religious groups from displaying religious symbols, which includes banning Christian congregations from advertising religious services or placing crosses outdoors where they are visible to the public.
- **Religious literature:** the government regulates the publication, importation, and distribution of all religious books and materials. The government reviews, censors, or bans foreign newspapers, magazines, films, and books for objectionable sexual, religious, and political content. Religious groups may publish newsletters without government censorship but may only distribute them internally within their respective communities.
- **Worship services:** holding worship services and activities are subject to registration with the government before they can be conducted legally.
- Penal code
 - **Apostasy laws:** although there have been no punishments made for apostasy since the country's independence in 1971, this is interpreted in RoRB as the law's success as a deterrent to religious conversion rather than the liberality of the government on this matter.
 - **Blasphemy laws:** committing blasphemy against, defaming, or desecrating Islam, Christianity, or Judaism, or producing or

circulating material containing slogans, images, or symbols defaming these three religions could lead to a seven-year prison sentence.

- **Criticism of religion:** a prison sentence of up to seven years for offending or misinterpreting the Quran, “offending” Islam or any of its rites or beliefs, insulting any of the prophets.
- **Missionary activity:** the law calls for two years’ imprisonment and a fine of 10,000 riyals (\$2,700) for possession of written or recorded materials or items that support or promote missionary activity.
- **Online dissemination of religion:** *although the law prohibits Christian groups from advertising religious services, Christian churches continued to post hours of services and other information on publicly accessible websites; however, the government continued to prohibit them from publishing such information in local newspapers or on public bulletin boards. Church leaders and religious groups said individuals practiced self-censorship when expressing religious views online and relied mostly on word of mouth, church websites, social media platforms, and email newsletters to distribute information about religious groups’ activities.*
- **Pilgrimage:** *the government of Saudi Arabia restricted pilgrims allowed to make the Hajj in 2021 to residents of Saudi Arabia due to concerns regarding COVID-19. In October, the MEIA announced that Umrah tour operators had resumed arranging Umrah tours from Qatar to Saudi Arabia for pilgrims, including expatriates. In November, the MEIA launched a new online registration system allowing individuals to upload their personal data and tour contracts, thereby permitting greater government oversight of the process and compilation of more accurate statistics.*
- **Places of worship:** *the government continued to state it would consider requests from non-registered religious groups to acquire a place of worship if they applied to register but, as in previous years, said none had done so.*

- **Proselytism:** up to 10 years in prison for proselytising on behalf of an organisation, society, or foundation of any religion other than Islam.
 - **Private proselytism:** *proselytising on one's own accord for any religion other than Islam may result in a sentence of up to seven years' imprisonment.*
- **Provocation of social discord:** the law also prohibits publication of texts provoking social discord or religious strife, with punishment of up to six months in prison.
 - *The government maintained its policy of reviewing, censoring, or banning newspapers, magazines, books, and social media for "objectionable" religious content, such as an attack on Islamic values or depictions of the Prophet Muhammad. Journalists and publishers at times said they practiced self-censorship regarding material the government might consider contrary to Islam.*
- **Unregistration:** members of groups conducting basic religious activities such as holding worship services or distributing religious texts will be deported.
- Facilitation of religion or belief
 - **Dedicated ministry:** *the CCSC continued to meet regularly with the MFA to discuss issues related to its congregants and to advocate for increased space for the large number of parishioners. The MFA also met with unregistered congregations to discuss their interests and needs.*
 - **Ombudsmanship:** there is currently no ombudsman office established in Qatar to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Baha'is:** *in March 2021, BIC said it was "extremely concerned" by "systematic attempts over many years" by the government to blacklist and deport Baha'is. The BIC press release cited the case of*

Omid Seioshansian, described as a Baha'i born in Qatar and whose family has lived there for generations, saying that authorities' actions in not renewing his lifelong residency permit were attributed to "baseless charges" of unspecified criminal and national security violations. The BIC release stated that once so identified, Baha'is are "blacklisted and expelled" and then permanently refused reentry, even in cases where they have lived their entire lives in the country. In the case of Seioshansian, who departed the country for India in August, the government said its refusal to renew his residency permit was based on immigration law and age, since the country does not allow persons over age 60 to obtain residency. The local Baha'i community and BIC raised these concerns with the government, including the National Human Rights Committee. According to BIC, the government told UN and foreign diplomats that cases involving members of the Baha'i community were unrelated to each other and each involved national security concerns. BIC raised these issues with the UN Human Rights Council on two occasions during the year. Writing for the Religion News Service, Seioshansian's brother Baher said, "The anti-Baha'i momentum has been building and has resulted in a dismissiveness toward Baha'is and their families that would have been unthinkable in the past," and he stated deportations affecting the Baha'i community involved a wide range of nationalities, including Jordanian, British, American, Malaysian, Indian, and Canadian.

- **Christians:** according to church leaders, approximately 75,000 to 100,000 expatriate Christians continued to attend weekly services at the Mesaymeer Religious Complex. Citizens of the country and other Muslims were not allowed to attend these services. Representatives of the CCSC stated there was overcrowding in seven buildings in the complex, and noted difficulties with parking, access, and time-sharing. In addition to the permanent buildings, the government allowed the churches to erect tents during Easter and Christmas outside the primary complex to accommodate the extra congregants wanting to attend services during these observances. The government continued to enforce strict security measures at the complex, including closing parking lots, setting a curfew on church access, and using metal detectors. Ministry of Interior security personnel asked churchgoers to show identification at the gates

because non-Christians, either expatriates or citizens, were prohibited access to the complex.

- The Mesaymeer Religious Complex, also known as “Church City” and located on government-owned land, continued to provide worship space for the eight registered Christian denominations, with clear government instructions that Christian symbols such as crosses, steeples, and statues were not permitted on the exterior of church buildings. The Anglican Center within the Mesaymeer Religious Complex housed a number of other smaller denominations and offered space to 88 congregations of different denominations and languages.*
- Hindus:** *representatives of the Hindu community continued to express concern that the government had not granted Hindus permission to open new places of worship.*

Overview

- Islam is the state religion.
- Any non-Muslim group is referred to as foreign or as comprised of expatriates even if this is not the case.
- A system of partial recognition is in effect because even though eight Christian denominations are recognised by the government, this recognition does not equate to the recognition received by Islam itself.
- Conversion from Islam is criminalised as apostasy; although no retributions have been reported under this law does not reduce or otherwise disregard its censoriality.
- The involvement of the emir in decision-making processes for religious registration and the internal affairs of religious organisations and denominations is demonstrative of the deeply entrenched politicisation of religion in the country.
- The rule of mandatory registration violates the Bielefeldt provision.
- The state has a particular definition and conception of what Islam is and what it consists of which places undue control and pressure of Islamic organisations and individual clerics as well as lay Muslims in conforming to this state-sanctioned form of Islam.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present apparatus that censoriously restricts religious activity.
- Repeal the series of laws that censor non-Islamic religion and belief.
- Revoke the rule of mandatory registration for non-Islamic groups.
- To become Receptive, establish a recognition system that is inclusive of at least all established or traditional belief systems and be able to bestow existential recognition and legal registration simultaneously and at different levels of activity; to become dynamic, this system would need to also be inclusive of NRMs or non-traditional belief systems.

Restriction tools implemented

- Confinement restriction tool.
- Deportation is imposed for members of unregistered groups (on the assumption that they are expatriates).
- Dormant law criminalises conversion from Islam.
- False claim to freedom of religion or belief.
- Importation of religious materials is contingent on the state's review and censoring of texts.
- Mandatory registration for all non-Islamic groups.
- Partial recognition is in effect.
- Politicisation of religion is in effect.
- Private group worship for unregistered groups is illegal.
- Proselytism is effectively banned under laws prohibiting offending or contravening Islam and is directly criminalised with the retribution of imprisonment under another law; possession of such materials results in imprisonment and fines.
- Provisions for places of worship are only bestowed to Islam and Christianity; no other belief systems or denominations of other belief systems are permitted to construct buildings.

- Public worship is highly restricted for non-Islamic belief systems including the banning of non-Islamic symbols.
- Retributions on offending, misinterpreting or provoking Islam, Christianity or Judaism include imprisonment.
- State definition and interpretation of Islam.
- State religion.

History of RoRB classification

- Qatar has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Romania — Restrictive

RoRB and national identity

- The Constitution of Romania makes an explicit claim to freedom of religion or belief, a claim that is not widely upheld in practice.
- Romania is a secular state; Romania formerly professed state atheism as a Communist state during its domination by the Soviet Union.
- The Romanian Orthodox Church is extended state privilege by the government.

Recognition law

- Structures and procedures for existential recognition
 - **Vertical recognition system:** three-tier classification system from “religious denominations” being the highest level, “religious associations” the middle level, and “religious groups” the most basic level.
 - 18 religions are recognised as religious denominations under this vertical system.
- Evaluations
 - The establishment of a vertical recognition system is impermissible to RoRB standards as it perpetuates the use of various different restriction tools (such as membership quotas).

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although religious groups are not mandated by the government to register, groups that do not register or fail to achieve the criteria for registration are not able to engage in activities classified as basic religious activities such as importing and publishing religious literature

and proselytising. It is claimed that unregistered groups may still practice their beliefs in both private and public settings although the logistics and limitations of this without resulting in proselytism or propagation remain unclear.

- **Legal designation:** the two higher levels of the three-tier system of recognition are considered to have reached legal entity status meaning that the two legal designations used in the country are “religious denomination” and “religious association”.
- **Status of religious groups:** “religious groups” are not considered legal entities and are defined as a group of individuals sharing the same beliefs and do not need to gain approval from the national secretariat to exist. Although a claim is made that religious groups do not need to register “to operate”, this is undermined by the fact that registration is a prerequisite for certain basic religious activities.
- **Secondary designation:** there is also another legal designation of “civil association” which covers all other kinds of groups and foundations, including those based-on-belief; it may also conduct religious activities and holds legal entity status. However, civil associations do not receive the same registration benefits as religious denominations and religious associations and function more like secular entities rather than religious ones.
- **Procedure:** these civil associations do not require approval from the National Secretariat for Religious Denominations to operate. Their registration falls under the provisions of law governing the establishment of foundations, associations, and nongovernmental organisations (NGOs). Such civil associations are not required to submit their members’ personal data meaning no monitorial requirements.
- **Membership quota:** a minimum of three members.
- **Activities of civil associations:** civil associations engaged in religious activities may engage in religious worship and own cemeteries. While they do not receive the same tax exemptions or other benefits granted to religious denominations and religious associations, they may receive the tax advantages and

other benefits accruing to civil associations and foundations.

- **Procedure for religious denominations:**
 - **Membership quota:** a religious association is then eligible to apply for the status of religious denomination if it has a membership of at least 0.1 percent of the population as counted at the most recent census (approximately 20,120 persons).
 - **Longevity quota:** demonstrate 12 years of continuous activity, a quota which began from 2006 onwards.
- **Procedure for religious associations:** groups must submit an application to the Registry of Religious Associations in the office of the clerk of the court where the main branch of the group is located. Applicant groups must also gain approval from the National Secretariat for Religious Denominations which is under the authority of the Office of the Prime Minister.
 - **Membership quota:** at least 300 citizens who share and practice the same religion.
 - *Some small religious groups continued to state they viewed the 300-person membership requirement and the need to submit their members' personal data for registration as a religious association as discriminatory, because other types of associations required only three members and did not have to submit the personal data of their members. They also continued to criticise the three-tier classification system for religious organisations.*
 - **Informational requirements:** members' personal data (e.g., names, addresses, personal identification numbers, and signatures), which the law says the government may not share with other public institutions or use in any other way.
- **Registration benefits:** registration benefits differ between the religious denominations and religious associations legal designations.
 - **Religious denominations:** have the right to reach religion in public schools, receive government funding and tax-exemption on income and property used for religious, educational or social purposes. Religious denominations may own or rent property, publish or

import religious literature, proselytize, establish and operate schools or hospitals, own cemeteries, and receive tax exemptions on income and buildings used for religious, educational, or other social purposes. The facilitation of religious assistance in the army, hospitals, penitentiaries, retirement homes, and orphanages. Only clergy members of recognised religious denominations may be hired by the government as military or prison chaplains. Regulations state that clergy members of religious associations may be granted access to prisons on a case-by-case basis in certain conditions. There are no similar regulations for religious groups.

- **Funding:** legal provisions allow local authorities to fund places of worship and theological schools belonging to religious denominations, including providing funding for staff salaries and building maintenance, renovation, and conservation or construction of places of worship. No similar provisions exist for religious associations or other associations engaged in religious activities; however, these associations may receive funding through legal provisions for civil associations and foundations.
- **Broadcasting:** religious denominations can broadcast religious programming on radio and television, and apply for broadcasting licenses for their own stations.
- **Census:** under the law, the amount of state funding a denomination receives is determined by the number of adherents reported in the most recent census, as well as by “the religious denomination’s actual needs,” which the law does not define.
- **Religious associations:** tax exemption on income and property used for religious, educational or social purposes. Religious associations may own or rent property, publish or import religious literature, proselytize, establish and operate schools or hospitals, own cemeteries, and receive tax exemptions on income and buildings used for religious, educational, or other social purposes.
- **Unregistered groups:** do not receive government funding nor tax exemption.

- **Registration rate:** *as of November, the government had approved one application for religious association status, compared with four religious associations in 2020. The approved application was for the Grace Association of Roma in Oltenia. As of November, 41 entities with diverse religious affiliations were registered as religious associations, compared with 40 in 2020.*
- Evaluations
 - The imposition of a pseudo-mandatory registration order is impermissible to RoRB standards.
 - The imposition of membership quota, longevity quotas, and the qualifications as they are presently stipulated are impermissible to RoRB standards.
 - Informational requirements that request personal or biographical details of either group members or group founders are impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Child religiosity:** *the law states the religion of a child who has turned 14 may not be changed without the child's consent; from age 16, a person has the right to choose her or his religion.*
- Communal activity
 - **Foreign missionary activity:** *the law allows religious workers from legally recognized religious organizations to enter and remain in the country under an extended-stay visa. Visa applicants must receive approval by the State Secretariat for Religious Affairs and submit evidence they represent religious organizations legally established in the country. The secretariat may extend such visas for up to five years.*
 - **Hieronymy:** *the importation of religious materials or devotional items into Romania for propagational use is*

restricted, especially if a group is unregistered. The importing of religious items into Romania for personal use is permitted.

- **Pastoral services:** *the law allows clergy from recognized religious denominations to minister to military personnel. This includes the possibility of clergy to function within the Ministry of Defense, Ministry of Interior, Intelligence Service, Foreign Intelligence Service, Protection and Guard Service, Special Telecommunications Service, and General Directorate for Penitentiaries. Under various other arrangements, clergy of recognized religious denominations, and in some cases religious associations, may enter hospitals, orphanages, and retirement homes to undertake religious activities. Religious denominations and religious associations may undertake activities in penitentiaries, subject to approval by the director of the detention facility.*
- **Political representation:** *under the constitution, each of the 18 recognised minorities, including Jews, is entitled to a representative in the Chamber of Deputies. An organisation is required, however, to receive votes equal to 5 percent of the national average number of votes cast by district for a deputy to be elected, and any citizen, regardless of religious affiliation, may vote for them. The list of organisations that benefit from these provisions is limited to those belonging to the National Council of Minorities, which consists of organisations already in Parliament.*
- **Proselytism:** *the law forbids proselytising in public and private schools. If teachers proselytize, the school management determines the appropriate discipline, based on the conclusions of an internal committee.*
- **Restitution:** *a separate statute on the reinstatement of the Greek Catholic Church regulates the restitution of properties to the Church from the ROC. Restitution decisions are made by a joint commission representing the two Churches and based on “the will of the believers from the communities that possess these properties.” The Greek Catholic Church may pursue court*

action if attempts to obtain restitution of its properties through dialogue are unsuccessful.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Romania's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the People's Advocate (Romanian: *Avocatul Poporului*) fulfils the role of the ombudsperson in Romania and the current officeholder is Renate Webber who has been in office since 2019.
 - **State funding:** *the State Secretariat for Religious Denominations provided funding for the publication of several books on the history and heritage of religious groups in the country. Throughout the year, Baptists, Evangelical Augustans, and Unitarians received such funding.*

Social dimensions of RoRB

- **Jews:** there have been reports of discrimination and harassment against religious minorities, including vandalism in Jewish cemeteries. The promotion of antisemitism was banned by legislation adopted in 2018.
- **Muslims:** media articles referring to Islam and Muslim migrants as threats to Romania.

Overview

- State privilege is provided to the Romanian Orthodox Church.
- A vertical recognition system is in place in Romania which perpetuates imbalance between different religious entities and groups; the restrictive policies from this vertical recognition are what make it a restriction tool.

- Recognition and registration are differentiated; provisions are given for existential recognition in the form of the category “religious groups” which are not mandated to register with the government and provisions are also given for legal registration through the category of religious associations.
- Politicisation of the registration and recognition processes is fairly widespread with Parliament and various different ministries and government departments involved to varying degrees in the different kinds of processes.
- Procedures of civil association registration occupy a process that secular as well as religious entities may utilise which is not ideal as distinction between secular and religious procedures for registration is always advised.
- There exists inconsistencies and issues of imbalance widespread in the legislation between recognised religious entities (namely denominations and associations) from religious groups and civil associations.

Positive elements

- Nil.

Recommendations

- Establish a reorganised recognition system that is based on horizontal recognition rather than vertical.
- Establish a recognition agency that would manage the reorganised recognition system in a way that is independent of the government.
- Ongoing discrimination and harassment against religious minorities should be resolved through more sophisticated means of religious education, mutual recognition of religion and belief, and government campaigns supporting diversity and religious pluralism.
- Revoke the restriction tools identified in the current registration system.

Restriction tools implemented

- Longevity quotas are in effect.
- Membership quotas are in effect.
- Partial recognition is in effect.
- Politicisation of recognition is widespread.
- State privilege.
- Stipulatory registration, possibly mandatory.
- Vertical recognition is in effect.

History of RoRB classification

- Romania has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Russian Federation — Terminal

RoRB and national identity

- The Constitution of Russia makes an explicit claim to freedom of religion or belief, a claim that is not upheld in practice by the government.
- The Russian Federation is a secular state.
- State privilege is extended to Russian Orthodox Christianity as the *de facto* national religion with the Russian Orthodox Church maintaining close relations with the government. The Russian Orthodox Church works closely with the government on foreign and domestic policy priorities.
- The authorities in the Republic of Kalmykia extends state privilege to Buddhism and encourages Buddhist teachings and traditions.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Russia.
 - **State privilege:** *according to NGOs and independent experts, the government continued to cooperate more closely with the ROC than with other religious organizations, with officials often interpreting the law that recognized the “special role” of Orthodox Christianity as granting special privileges or benefits to the ROC as an institution. Georgetown University’s Berkley Center for Religion, Peace and World Affairs stated in a report in May that “the Kremlin continues to deepen its reliance on the Russian Orthodox Church-Moscow Patriarchate (ROC) as a lever of soft power in Russian foreign policy.” In a July interview posted on the ROC website, Foreign Minister Sergei Lavrov cited the existence of a Working Group for Cooperation between the foreign ministry and the ROC. In June, ROC Patriarch Kirill presented Russian Defense Minister Sergei Shoigu with an ROC medal for “supervision of the construction of the main temple of*

the Russian Armed Forces.” He thanked Shoigu for his contribution to “this new way of interaction between the Church and the armed forces.” Patriarch Kirill also presented awards to two deputy defense ministers. The government continued to provide the ROC Patriarch with security guards and access to official vehicles, a privilege accorded to no other religious organization. According to the SOVA Center, the ROC had received more government-granted property than any other religious organisation.

- Evaluations
 - The lack of existential recognition for belief systems and their communities in Russia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Vertical registration system:** there exists three categories for religious associations with varying degrees of legal status and privileges. These designations are “religious groups”, “local religious organisations” (LROs), and “centralised religious organisations” (CROs). A 1997 law on religion gives the state extensive control and makes it difficult for new or independent groups to operate.
 - **Religious group designation:** the most basic designation that supposedly does not require registration with the state to exist but to conduct activities, notification of local authorities, likely the regional Ministry of Justice (MOJ), must taken place. For a religious group to legally conduct worship services, other rituals and to teach its religion to its members (not including proselytism), authorities must be notified of these activities.
 - **Informational requirements:** the location of its activity, its rites and ceremonies, and its leader(s) and members.
 - **Limitations of religious groups:** organisations designated “religious groups” do not have the legal status

to open a bank account, nor own property, issue invitations to foreign guests, publish literature, receive tax benefits, or conduct worship services in prisons, state-owned hospitals, or to the armed forces.

- There are number of violations of RoRB standards here, principal among which is the government's restriction of religious groups from publishing literature. Lesser degree violations are the government's restrictions of groups from conducting worship services in several public settings which is a central function of religious activity. Also, the invitation of foreign guests is another violation of RoRB standards in this facet of regulations.
- **Private worship activities:** a religious group is allowed to use property bought by members to hold services, residential property owned or rented by its members, or public spaces rented by its members to hold services. However, these services would still need prior approval from the state (**preapproval**) to take place although it is unclear whether there is a distinction between public and private worship activities, namely whether notifications need to be sent about activities in public buildings and not for those held in private residences.
- **Local religious organisation designation:** an LRO is a religious organisation that operates within a certain local area such as a district or town and is expected to register with the MOJ.
- **Membership quota:** an LRO must have at least 10 citizen members who are 18 or older and who are permanent local residents of an area. No membership quotas are acceptable under RoRB standards although it is conceded that this quota, considering the nature of the legal designation as "local", does not violate RoRB standards although with the nefarious intent designation based on the Russian Federation's history of oppressing unfavoured religious groups, the imposition of such a quota must be monitored for misuse.
- **LRO abilities:** have legal status and may open bank accounts, own property, issue invitation letters to foreign guests, publish literature, receive tax benefits, and conduct worship services in prisons, hospitals, and the armed forces.

- **Centralised religious organisation designation:** a CRO is a combination of at least three LROs of the same denomination which applicants should register with the MOJ at the regional or federal level depending on the proximities of the different combined LROs.
- **LRO and CRO informational requirements:** a list of the organisation’s founders and governing body with addresses and internal travel document (“internal passport”) data; the organisation’s charter; the minutes of the founding meeting; certification from the CRO (in the case of LROs); a description of the organisation’s doctrine, practices, history, and attitudes toward family, marriage, and education; the organisation’s legal address; a certificate of payment of government dues; and the charter or registration papers of the governing body in the case of organisations whose main offices are located abroad.
 - The vastness of the informational requirements requested by the Russian Federation for LRO and CRO registration is regarded to possess nefarious intent to restrict religious activity and is therefore a violation of RoRB standards with consequences for FoRB conditions as is evidential in the precedence.
- **LRO and CRO registration benefits:** LROs and CROs may invite foreign citizens to carry out professional religious activities. LROs and CROs may produce, acquire, export, import, and distribute religious literature in printed, audio, or video format, and “other religious items.”
- **Grounds for dissolution or deprivation:** religious groups or organisations may face legal dissolution or be deprived of legal status by a court decision if found to have violated principles of the constitution or along a public security narrative.
- **Basis for registration denial:** *authorities may deny registration for reasons including incorrect paperwork, failure to meet different administrative requirements, national security reasons, or placement on the list of extremist or terrorist organisations; denial of registration may be appealed in court.*
- **Monitorial requirements for LROs and CROs:** *CROs and LROs receiving funding from abroad must report an account of their activities, a list of leaders, the source of foreign funding,*

and plans for how the organisation intends to use the foreign funds or property obtained through foreign funding. Reports are annual by default, but the MOJ may require additional ad hoc reports.

- **Censorship:** *The Expert Religious Studies Council, a committee established by the MOJ to advise it on religious groups, has wide powers to investigate religious organisations. Some of the council's powers include reviewing organisations' activities and literature and determining whether an organisation is "extremist." The law does not provide precise criteria on how written religious materials may be classified as "extremist." The council also advises the MOJ on the issue of granting religious organisation status to a religious group.*
- **State supervision:** *The government (the MOJ or the Prosecutor General's Office) oversees a religious organisation's compliance with the law and may review its financial and registration-related documents when conducting an inspection or investigation. With advance notice, the government may send representatives to attend a religious association's events, conduct an annual review of compliance with the association's mission statement on file with the government, and review its religious literature to decide whether the literature is extremist. The law contains ongoing reporting requirements on financial and economic activity, funding sources, and compliance with antiterrorist and anti-extremist legislation. The government may obtain a court order to close those associations that do not comply with reporting or other legal requirements.*
- **Foreign religious organisations:** *foreign religious organisations (those created outside of the country under foreign laws) have the right to open offices for representational purposes, either independently or as part of religious organisations previously established in the country, but they may not form or found their own religious organisations in the country and may not operate houses of worship.*
- **Restrictions on services:** *the law allows the government to limit the places where prayer and public religious observance may be conducted without prior approval. LROs and CROs may conduct religious services and ceremonies without prior approval in buildings and facilities or on lands owned or rented by these associations, as well as in cemeteries, crematoria,*

places of pilgrimage, and living quarters. Baptism ceremonies in rivers and lakes, as well as services conducted in parks, open spaces, or courtyards, do not fall under this exemption. In these cases, LROs and CROs must seek government approval at least one week in advance and provide the government with the names of organisers and participants, as well as copies of any written materials to be used at the event.

- Evaluations
 - The imposition of a mandatory registration order onto registrant religious groups is impermissible for RoRB standards.
 - The orientation of the registration system vertically (meaning there are different statuses that groups can try to reach depending on their membership size and other qualifications) is impermissible to RoRB standards as a vertical system of legal registration often leads to the perpetuation of some of the commonly applied restriction tools.
 - The limitation based on groups of foreign origin (GFOs), such as prohibiting their ability to freely operate houses of worship or to legally own religious organisations in the country is impermissible to RoRB standards.
 - The informational requirements stated are impermissible to RoRB standards, particularly the identification of members, the specific address of activities and details on ceremonies to be conducted due to the history of such information being misused by the Russian government, hence nefarious intent to restrict religious activity is identified in these requirements.
 - Grounds for the denial of registration are broad and subjective, likely leading to the misuse of these grounds to deny registration to religious groups unfavoured by the government.
 - The imposition of members quotas onto registrant religious groups is impermissible to RoRB standards.
 - The provision that the government requests annual reports is permissible to RoRB standards but requesting ad hoc reports on any basis more frequent than within a year of the previous report is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Russia as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hierarcy:** the importation of religious materials or devotional items into the Russian Federation is only permitted for certain religious groups. Rules surrounding the importation of religious goods for personal use depend on whether the religion to which the individual belongs is favoured or at least tolerated by the government. For example, a prohibition on the Jehovah's Witnesses means they cannot import religious items of any kind, neither for personal nor propagational use.
 - **Places of worship:** *the NGO Alliance Defending Freedom International (ADF) stated it had filed two cases with the ECHR on behalf of the Word of Life church in Kaluga – a Pentecostal church in a dispute with local authorities over ownership and building code violations which blocked efforts to convert a building to a meeting place for their community. Worshipers reportedly were meeting in a tent outside the property pending resolution of the case.*
 - **Private religious services:** *ADF's 2019 application to the ECHR on behalf of Pastor Vitaliy Bak remained pending at year's end. Bak, a Baptist community leader whom the Novorossiysk city administration accused of holding illegal worship services in his home, faced the possibility that his house would be demolished; local authorities closed the house in July 2019. The ADF stated the authorities' actions violated freedom of religion.*
- Penal code

- **Counterterrorism measures:** a prime ministerial decree requires religious organisations to conform to specific counterterrorism measures to qualify for safety permits for their real property. Among other requirements, all facilities must be guarded during services by members of public organisations. Facilities with maximum building occupancy limits between 500 and 1,000 must have “panic buttons” and video surveillance systems. Buildings with occupancy limits of more than 1,000 must be guarded by private security guards or National Guard personnel. Religious groups are responsible for defraying the costs of these measures. The penalty for noncompliance is a fine of up to 100,000 rubles (\$1,300). Antiterror legislation approved in 2016 grants the authorities power to repress religious groups that are deemed extremist.
- **Prohibitions:** participating in or organising the activity of a banned religious organisation designated as extremist is punishable by a fine of up to 800,000 rubles (\$10,700) or imprisonment for a term of six to 10 years, with deprivation of the right to hold “certain positions” or engage in “certain activities” (without specifying what these might be) for up to 10 years and restrictions on freedom for a period of one to two years. These restrictions may include house arrest or constraints on travel within the country. For persons with official status, a term which applies to anyone working for the government or state-owned entities as well as to persons in management roles at commercial entities or NGOs, the prescribed prison term is seven to 12 years or a fine of up to 700,000 rubles (\$9,400). First-time offenders who willingly forsake their membership in banned religious organisations are exempt from criminal liability if they committed no other crimes.
- **Jehovah’s Witnesses:** according to the 2017 Supreme Court ruling declaring the Jehovah’s Witnesses Administrative Center an extremist organisation, all Jehovah’s Witness activities, including the organisation’s websites and all regional branches, are banned. The court’s ruling states the constitution guarantees freedom of religious belief, but this right is limited by other rights, including “existing civil peace and harmony.” The decision heralded a protracted campaign against the worshippers, marked by surveillance, property

seizures, arrests, and torture. At least 339 members of the religion faced persecution for their faith, according to data released in 2020 by the Memorial Human Rights Center. At the end of the year, 45 Jehovah's Witnesses were in prison and 35 were in pretrial detention. The authorities raided the homes of at least 440 Jehovah's Witnesses throughout the year.

- **Islamic “extremist” organisations:** *the Supreme Court has banned the activities of several Islamic organisations on the grounds of extremism, including Hizb ut-Tahrir; Nurdzhular (a Russification of the Turkish for “followers of Said Nursi”); Tablighi Jamaat; and the Fayzrakhmani Islamic community. These organisations are on the Federal List of Extremist Organisations.*
- **Wahhabism:** *local laws in several administrative regions, including the republics of Kabardino Balkaria and Dagestan, ban “extremist Islamic Wahhabism” but do not define the term. Authorities impose administrative and criminal penalties for violating these laws, in accordance with federal legislation.*
- **Propagation of religion or belief:** *the country’s National Security Strategy, approved in July, included the prevention of the spread of religious radicalism, destructive religious movements, and formation of ethnic and religious enclaves as measures to ensure security.*
- *In January 2021, the Verkhnepyshminsky City Court sentenced an assistant to former ROC priest Shiigumen Sergiy to 15 days administrative arrest for inciting hatred through uploading a video on social media, a punishment that does not involve criminal charges. The ROC had banned him from preaching. Sergey refused to leave the Sredeuralsk Convent in a dispute over the property. On February 10, the Sverdlovsk Arbitration Court recognized the Sredneuralsk Convent as property of the ROC Yekaterinburg Diocese. The ROC had filed a claim for recognition of ownership in 2020.*
- **Facilitation of religion or belief**

- **Ombudsmanship:** the Commissioner for Human Rights is the ombudsperson for the Russian Federation and the current officeholder is Tatyana Moskalkova.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Russia for this First Edition of *Recognition of Religion or Belief*.

Overview

- State privilege is bestowed to the Russian Orthodox Church.
- A system of vertical recognition is in effect whereby varying levels of recognition are bestowed to different legal categories” from lowest to highest "religious groups”, “local religious organisations” (LROs), and “centralised religious organisations” (CROs); CROs correspond to denominations while LROs correspond to individual organisations (such as places of worship or parishes) part of broader denominations; meanwhile “religious groups” are informal gatherings of persons who share the same belief identity.
- Informational requirements for registration process are excessive and are broadly misused for the purpose of terminally restricting religious activity.
- Ongoing persecutions of the Jehovah's Witnesses and NRMs is terminal.
- The rule of mandatory registration violates the Bielefeldt provision.
- Widespread violation of the Durham principles is found throughout the Russian recognition system.

Positive elements

- Nil.

Recommendations

- Dismantlement of the present abuse of recognition and registration that are used roundly to restrict religious activity.
- Establish a reorganised recognition system that is inclusive of all belief systems and their derivatives.
- Remove state privilege for the Russian Orthodox Church, especially to disable its political power and its power to influence laws on religious groups.
- Revoke restriction tools and related policies identified as part of this report that unjustly control religious activity.

Restriction tools implemented

- Baseless charges of extremist or cult activity may be levied against groups ending in their dissolution.
- Government entities censor religious materials while the criteria for being labelled “extremist” remain undetermined.
- Government involvement and investigation into the internal affairs of religious organisations is commonplace.
- Mandatory registration.
- Membership quotas are in effect (albeit relatively low).
- Politicisation of religion and belief is widespread and deeply entrenched.
- Restrictions on imposed on “foreign” religious organisations operating within Russia.
- Retributions include fines, imprisonment, limitations of what a person can do in the country, and restrictions enforced on their freedom.
- State privilege.
- Subjective language is used throughout legislation.
- The Expert Religious Studies Council is unregulated in the power it exercises over registration.
- Vertical recognition is in effect with detrimental consequences.
- Weaponisation of the words “cult”, “extremist”, “terrorist”.

History of RoRB classification

- Russia has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Rwanda, Republic of — Restrictive

RoRB and national identity

- The Constitution of Rwanda makes an explicit claim to freedom of religion or belief and although the government generally upholds this right in practice, there are some identified infractions.
- The Republic of Rwanda is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Rwanda.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Rwanda demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all religious groups and their affiliate non-profit organisations and individual congregations register with it in order to conduct any operations in the country.
 - **Procedure:** the process involved is the obtainment of legal status which is dispensed by the Rwanda Governance Board (RGB). An application letter should be addressed to the RGB.
 - **Legal designation:** religious groups are legally designated faith-based organisations (FBOs).

- **Informational requirements:** notarised statutes governing its organisation; the address of its head office and the names of its legal representative and deputy, their duties, full address, and criminal records; a document certifying the legal representative and deputy were appointed in accordance with its statutes; a brief notarised statement explaining its doctrine; a notarised declaration of the legal representatives of the organisation of consent to the responsibilities assigned to them; notarised minutes of the group's general assembly that established the organisation, approved its statutes, and appointed members of its organs; a notarised document describing the organisation's annual action plan and source of funding; a document indicating the building that meets the requirements of the building code of the area of operation; a letter issued by district authorities agreeing to collaborate with the organisation; a partnership document issued by an umbrella organisation of the organisation's choosing; and proof of payment of a nonrefundable application fee.
- **Regulatory interval:** the law states the RGB must either issue a certificate of legal personality within 60 days of the date of receipt of the application or, in case of denial, send a written notice explaining the reasons for the denial within 30 days of the date of receipt of the application.
- **Reregistration:** *under the law, FBOs that already held legal personality as of September 10, 2018, when the current law was passed, were not required to reapply but had to harmonise their functioning and statutes with the current law and submit the revised statutes to the RGB within 12 months of the law's enactment.*
- **Qualifications:** *the law stipulates that preachers with supervisory responsibilities must possess a degree in religious studies from an institution of higher learning or any other degree with a valid certificate in religious studies issued by a recognised institution. The law also requires that an FBO's legal representative hold a degree from an institution of higher learning. The law states that persons required to hold an academic degree shall have five years from the date of the law's enactment to comply with the requirement.*

- **Denial of registration:** under the law, if the RGB denies an FBO's application for legal status, the group may reapply when the reason for denial no longer exists.
- Evaluations
 - The imposition of a mandatory registration order for all religious groups is impermissible to RoRB standards.
 - The stipulated qualifications for registered status are impermissible to RoRB standards due to being too excessive and the same applies for the requested informational requirements as part of registration procedures.
 - The government's provision of a regulatory interval is welcomed.
 - The 2018 reregistration law is permissible to RoRB standards as registered groups were given 12 months to implement the changes.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Rwanda as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** *every foreign missionary must have a temporary resident permit and a foreign identity card. Specific requirements to obtain the permit (which is valid for two years and renewable) include a signed curriculum vitae, an original police clearance from the country of prior residence, an authorization letter from the parent organization, and a fee of 100,000 francs (\$100).*
 - **Hieronymy:** it remains unclear whether registration with the government is a precondition for a religious group's legal importation of religious materials and devotional items into

Rwanda for propagational use. Religious materials and devotional items imported for personal use are permitted.

- **Places of worship:** *during the year, approximately three-fourths of the places of worship closed by the government in 2018 remained closed because they failed to make government-mandated infrastructure improvements to address health and safety standards or noise pollution ordinances. Government officials stated these requirements were necessary to protect the health of worshippers and said while some places of worship had been closed, religious organizations were not prohibited from operating. Of the 8,760 places of worship closed in 2018, the government reported 2,231 were allowed to reopen as of December 2020 after making required improvements. There were no reports of additional places of worship being allowed to reopen in 2021. Many groups whose places of worship were closed in 2018 reported they had since joined with other groups whose facilities met government requirements. The government did not publish statistics on the total number of places of worship.*
- *Civil society and religious leaders assessed many places of worship would not reopen because the required improvements were prohibitively expensive for organizations of modest means, reporting the continued severe economic effects of the COVID-19 pandemic exacerbated this difficulty. Government officials stated the cost of required improvements was only an issue for small informal groups, and most religious groups with significant membership were able to bring places of worship into compliance with government requirements. Government officials said standards for improvements were applied flexibly and took into account differences of urban and rural contexts. Some religious leaders stated the government's standards were burdensome in that they were inconsistent with the overall level of development in some communities and were applied inflexibly across the country.*
- **Religious gatherings:** *the law regulates public meetings and states any person who holds a meeting or demonstration in a public place without prior authorization is subject to eight days' to six months' imprisonment, a fine of 100,000 to one million*

francs (\$100- \$1,000), or both. Penalties increase if the illegal meeting or demonstration is found to have threatened security, public order, or health. The law states religious sermons must be delivered in designated facilities that meet the requirements of the law and if an FBO intends to organise a special public gathering, it must seek authorization from the competent authority.

- **Structures of religious organisations:** *there were reports the government monitored and interfered in the internal leadership affairs of some religious organizations and pressed them to make decisions in a manner inconsistent with organizations' internal guidelines and governance procedures. There were also reports of independent religious groups facing difficulties establishing themselves. These groups reported many requirements for obtaining official registration – for example, purchasing property – were difficult to fulfil for groups that did not already have legal status. Observers stated these difficulties disproportionately affected organizations without well-developed internal governance structures, such as unaffiliated Protestant churches.*

- Penal code

- **Unauthorised public religious gatherings:** *the law regulates public meetings and states that any person who holds a meeting or demonstration in a public place without prior authorization is subject to eight days' to six months' imprisonment, a fine of 100,000 to 1,000,000 francs (\$110 to \$1,100), or both. Penalties increase if the illegal meeting or demonstration is found to have threatened security, public order, or health. The law states that religious sermons must be delivered in designated facilities that meet the requirements of the law and that if an FBO intends to organise a special public gathering, it must seek authorization from the competent authority.*

- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Rwanda to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Jehovah's Witnesses:** *Jehovah's Witnesses face arrest for refusing to participate in security duties or oath-taking involving the national flag.*
 - *Jehovah's Witnesses reported it was difficult to obtain civil marriages without taking an oath on the Rwandan flag and said they were unable to receive some professional licenses requiring the same oath. For example, as of October, no Jehovah's Witnesses were members of the Rwanda Bar Association for this reason. Jehovah's Witnesses faced sporadic issues with respect to being asked to participate in military and patriotic activities and certain religious services at school in contravention of their beliefs. Jehovah's Witnesses reported 44 students remained unable to attend school since 2019 due to their refusal to participate in such activities. Government officials said they would investigate the matter, stating this inability of students to attend school contravened government policy. Aside from these problems, Jehovah's Witnesses otherwise reported the government worked with them to provide reasonable accommodations as required, and they cited as an improvement the fact that civil servants no longer had to swear an oath in order to obtain employment.*
- **Minorities:** *in recent years, authorities have shut down Pentecostal churches and some mosques, banned mosques in Kigali from broadcasting the call to prayer, passed a law requiring religious leaders to obtain a theology degree before establishing churches, mandated that religious organisations report grants to the RGB, and required that donations to faith-based groups be deposited in Rwandan banks.*
 - *Muslim community leaders stated they maintained a collaborative relationship with the Rwanda National Police to counter violent extremism related to religion. They emphasised their efforts to prevent and counter violent extremism after authorities foiled a terrorism plot in September in Kigali and arrested several suspects ostensibly linked to ISIS-Democratic Republic of the Congo. These*

efforts included youth and community outreach, cautioning community members about extremist recruitment efforts, countering violent extremism with messages of peace and inclusion, and urging cooperation with law enforcement.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration with few to no means of existential recognition.
- The rule of mandatory registration violates the Bielefeldt provision.
- Informational requirements are intrusive due to the extent of the requirements, their complexity and the likelihood of their misuse to restrict religious activity or to otherwise deny applications.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Repeal laws and policies unduly and inappropriately restricting reasonable religious activity.
- Revoke the rule of mandatory registration.
- Establish a revitalised recognition system that has capacities for both legal registration and existential recognition, provisions which should be extended to all belief systems, and offered at multiple levels of activity.
- To become dynamic, the Rwandan government would need to establish a recognition agency that would manage the newly established recognition system independently from government (achieved by the government's relinquishment of its control of the agency following its establishment and its bestowal of state authority).

Restriction tools implemented

- A form of reregistration was implemented following the 2018 law.
- Confinement restriction tools is imposed.
- Intrusive informational requirements.
- It remains unclear in the legislation whether applicants are required to be part of an umbrella organisation for them to become eligible for registration as FBOs.
- Mandatory registration.
- Opportunities for reapplication remain unclear.
- Restrictions are imposed on who can and cannot engage in religious leadership and some restrictions imposed on the financial activities of FBOs.
- Retributions for unregistered public meetings include fines and/or imprisonment.

History of RoRB classification

- Rwanda has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Saint Barthélemy — Receptive

RoRB and national identity

- Percolative recognition is in effect which means that French laws on religious recognition applies in this French overseas collectivity.
- As such, the French Constitution makes a claim to freedom of religion or belief in Saint Barthélemy, a claim which the government generally upholds in practice.
- By way of France's secularity, Saint Barthélemy is a secular territory.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Saint Barthélemy.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Saint Barthélemy demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in Saint Barthélemy as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Saint Barthélemy as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Saint Barthélemy is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of the penal code of Saint Barthélemy.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Saint Barthélemy to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Saint Barthélemy for this First Edition of *Recognition of Religion or Belief*.

Overview

- Non-percolative recognition is in effect which means that French laws on religious recognition do not apply in this French overseas collectivity.

History of RoRB classification

- Saint Barthélemy has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Saint Christopher and Nevis, Federation of — Apathetic

RoRB and national identity

- The Constitution of Saint Kitts and Nevis makes an explicit claim to freedom of religion or belief, a claim that the government broadly upholds in practice.
- The Federation of Saint Christopher and Nevis is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Saint Kitts and Nevis.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Saint Kitts and Nevis demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not require religious groups to register with it. Religious groups that do register will become part of a database of contacts through which the government disseminates information on policies relevant to religious affairs.
 - **Procedure:** the Ministry of Nevis Affairs, Labor, Social Security, and Ecclesiastical Affairs is responsible for registering religious groups.
 - **Legal designation:** religious groups are legally classified as charities.

- **Registration benefits:** duty-free importation of religious items.
- Evaluations
 - The imposition of a stipulatory registration policy in Saint Kitts and Nevis is permissible to RoRB standards as long as stipulations made are not issued to interfere with “basic religious activities” such as making registration a prerequisite for the free and legal conduct of a certain activity that is classified as “basic” in RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Saint Kitts and Nevis as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Saint Kitts and Nevis is permitted without restriction, both for personal and propagational use.
 - **Religious education:** *the constitution allows religious groups to establish and maintain schools at the groups' own expense. Public schools offer Christian religious instruction, daily prayers, and religious assemblies. Students who do not want to attend are exempt from all religious activities. Public and private schools require vaccinations for children to attend school, but religious exemptions are permitted.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of the penal code of Saint Kitts and Nevis.

- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Saint Kitts and Nevis to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Rastafarians:** *prison officials continued to allow Rastafarian prisoners to keep their dreadlocks unless they posed health-related issues or were used to transport contraband. The prison did not provide different diets based on prisoners' religious dietary restrictions.*

Overview

- Recognition and registration are amalgamated; a focus is placed on legal registration with no provisions for existential recognition; a semblance of recognition is available by tax exemption.

Positive elements

- Freedom of religion or belief is generally upheld by the government in practice.

Recommendations

- Establish procedures for existential recognition distinguished from those legal registration.
- Develop all unstructured areas of the registration system.

Restriction tools implemented

- Ambiguity remains within the legislation.
- Lack of provisions for existential recognition persist.
- Stipulatory registration.
- Unstructure exists within the system.

History of RoRB classification

- Saint Kitts and Nevis has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Saint Lucia — Restrictive

RoRB and national identity

- The Constitution of Saint Lucia makes an explicit claim to freedom of religion or belief, a claim that the government generally upholds in practice.
- Saint Lucia is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Saint Lucia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Saint Lucia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Conditional-stipulatory registration:** although registration is not mandatory for all groups, groups can register to receive certain legal and financial benefits. However, registration becomes mandatory when the group's membership size exceeds that of 250 citizens.
 - **Procedure:** the Ministry of Equity, Social Justice, Empowerment, Youth Development, Sports, and Local Government is the mediator between the government and religious groups and it is to this ministry that groups must submit their registration applications. The procedure of registration used is incorporation.

- **Legal designation:** registered religious groups are legally designated “incorporated” while unregistered religious groups are legally designated as “for-profit organisations” for taxation purposes as they are not exempt from taxation.
- **Informational requirements:** contact information, the group’s date of establishment, its history, declaration of its beliefs, its number of members in the country, the address of its meeting place(s), and sources of income.
- **Registration fee:** 500 Eastern Caribbean dollars (\$190) which exceeds the RoRB standards threshold of \$100.
- **Membership quota:** registration is only made available for religious groups with a membership sizing more than 250 citizens.
 - *A representative of Chabad labeled the registration threshold requiring a minimum of 250 members “arbitrary” and said lack of registration prevented Jews from holding services. He said he was confident that the new government under Prime Minister Pierre, sworn into office on July 28, would approve its registration request. By year’s end, however, the Prime Minister did not approve the registration request. One religious leader said registration was especially important during the COVID-19 pandemic because only registered groups were legally allowed to hold services.*
- **Registration benefits:** may apply for concessions, including duty-free import privileges, tax benefits, and exemption from some labor requirements; legally register marriages officiated by religious leaders.

- Evaluations

- The imposition of a conditional-stipulatory registration order is impermissible to RoRB standards because registration becomes mandatory for religious groups after they have reached a certain size.
- The informational requirements requested as part of registration procedures are impermissible to RoRB standards.
- The stipulation made that the legal registration of a marriage by a religious leader is dependent upon the religion to which this leader belongs is registered with the state for the

marriage to be approved is impermissible to RoRB standards and makes the registration procedures pseudo-mandatory.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Saint Lucia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign religious activity:** *the government's registration policy defines the process of obtaining work and labor permits for missionaries. Immigration authorities grant work permits for individuals entering the country to conduct missionary work in exchange for a weekly fee of 200 Eastern Caribbean dollars (\$74). As long as they abide by the law, foreign missionaries face no other restrictions or obligations.*
 - **Hieronymy:** the importation of religious materials or devotional items into Saint Lucia is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Saint Lucia's penal code.
- Facilitation of religion or belief
 - **Dedicated ministry:** the Ministry of Equity, Social Justice, Empowerment, Youth Development, Sports, and Local Government is responsible for religious affairs, implements the government's policy on religious groups, and meets to address the concerns of religious groups.

- **Ombudsmanship:** there is currently no ombudsman office established in Saint Lucia to investigate cases of human rights violation in the country.
- **Outreach:** *the government continued to consult with the Religious Affairs Council to develop regulatory and legal reforms and program recommendations for approval by the Cabinet of Ministers. Issues discussed included the Jewish community's request to lower the required minimum membership threshold of 250 persons.*
 - *Islamic Association representatives said the association's engagement with the government-coordinated Religious Affairs Council as well as membership on the board of the Bordelais Correctional Facility, the country's only prison, were encouraging developments. The council, an official entity, consisted of representatives of registered Christian groups and one non-Christian representative, all elected by their respective communities, and a nonvoting government official. During the year, competitive elections were held among the Islamic Association as well as the Jewish, Baha'i, Rastafarian, and Buddhist communities for the non-Christian seat on the council, which a representative from the Rastafarian community won.*

Social dimensions of RoRB

- **Muslims:** *registered as a religious organization in 2020, the Islamic Association of Saint Lucia reported continuing obstacles. According to its representatives, the association's requests for land to build a mosque and cemetery were not successful, nor were its efforts to seek exception to a law mandating burials in coffins, contravening the Islamic practice requiring casketless burials. A government official said there were no legal barriers to mosque construction and suggested a lack of available land as one reason requests for land had not yet been approved.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration with few to no provisions for existential recognition; only a semblance of recognition is made available for groups through their exemption from taxation.

Positive elements

- Freedom of religion or belief is generally upheld by the government.

Recommendations

- To become Receptive, establish a revitalised recognition system that can provide both existential recognition in addition to legal registration simultaneously, to all belief systems and their derivatives, and at different levels of recognition.
- To become Dynamic, establish a recognition agency that has the capacity to manage the re-established recognition system in a way that is independent of the government.
- Ongoing discrimination levied towards Rastafarians and Muslims are issues that should be resolved through greater religious education and mutual recognition.
- Revoke excessive informational requirements and abolish the conditional mandatory registration order.

Restriction tools implemented

- Ambiguity within the legislation persists.
- Mandatory registration for certain religious groups; ambiguity as to whether groups below the 250 member threshold can apply for registration.
- Possible membership quota in effect.

History of RoRB classification

- Saint Lucia was originally classified Apathetic in the 2021 RoRB Index.

- However, due to the pseudo-mandatory and conditional-stipulatory nature of the registration procedures, Saint Lucia has been reclassified Restrictive in the 2022 RoRB Index.

Saint Martin, Collectivity of — Receptive

RoRB and national identity

- Percolative recognition is in effect which means that French laws on religious recognition applies in this French overseas collectivity.
- As such, the French Constitution makes a claim to freedom of religion or belief in Saint Martin, a claim which the government generally upholds in practice.
- The Collectivity of Saint Martin is a secular territory by way of belonging to Overseas France.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Saint Martin.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Saint Martin demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of BBOs in Saint Martin as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to self-identification in Saint Martin as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Saint Martin is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Saint Martin's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: it is possible that the French ombudsperson holds jurisdiction here as Saint Martin is part of Overseas France.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Saint Martin for this First Edition of *Recognition of Religion or Belief*.

Overview

- Non-percolative recognition is in effect which means that French laws on religious recognition do not apply in this French overseas collectivity.

History of RoRB classification

- Saint Martin has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Saint-Pierre and Miquelon, Territorial Collectivity of — Receptive

RoRB and national identity

- Percolative recognition is in effect which means that French laws on religious recognition applies in this French overseas collectivity.
- As such, the French Constitution makes a claim to freedom of religion or belief in Saint-Pierre and Miquelon, a claim which the government generally upholds in practice.
- The Territorial Collectivity of Saint-Pierre and Miquelon is a secular territory by way of belonging to Overseas France.

Recognition law

- Structures and procedures for existential recognition
 - There is limited information on existential recognition for religions in Saint-Pierre and Miquelon for this First Edition of *Recognition of Religion or Belief*.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of BBOs in Saint-Pierre and Miquelon as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Saint-Pierre and Miquelon as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Saint-Pierre and Miquelon is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of the penal code of Saint-Pierre and Miquelon.
- Facilitation of religion or belief
 - **Ombudsmanship**: it is possible that the French ombudsperson holds jurisdiction here as Saint-Pierre and Miquelon is part of Overseas France.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Saint-Pierre and Miquelon for this First Edition of *Recognition of Religion or Belief*.

Overview

- Non-percolative recognition is in effect which means that French laws on religious recognition do not apply in this French overseas collectivity.

History of RoRB classification

- Saint-Pierre and Miquelon has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Saint Vincent and the Grenadines — Apathetic

RoRB and national identity

- The Constitution of Saint Vincent and the Grenadines makes an explicit claim to freedom of religion or belief, a claim that is broadly upheld in practice by the government.
- Saint Vincent and the Grenadines is a secular state.
- There are no restrictions on citizens' freedoms to organise their beliefs and worship and practice.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Saint Vincent and the Grenadines.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Saint Vincent and the Grenadines demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct “basic religious activities”; registration so does come with financial benefits.
 - **Primary procedure:** groups register with the Ministry of Education, National Reconciliation, Ecclesiastical Affairs, and Information.
 - **Alternative procedure:** a alternative procedure for registration is to register as a corporation. This is

completed by filling out an application to the government and awaiting the issuance of a certificate of incorporation by parliament.

- **Legal designation:** religious groups that are registered are legally classified as non-profit religious institutions. Corporation is a secondary legal designation for religious groups that choose to incorporate by an act of parliament.
- **Registration benefits:** tax exemption.
- **Registration rate:** *according to 2020 government data, the most recent available, there were 146 religious groups with approximately 500 registered religious nonprofit organizations representing those denominations. Prior to the outbreak of COVID19, government officials reported receiving an average of 12 applications per year, primarily from already registered organizations establishing new branches or changing their organisational structures. During the year, the government did not register any new religious groups, but it adjusted the registration of three religious groups that had either added branches or adjusted their organisational structures.*

- Evaluations

- The imposition of a stipulatory registration policy in Saint Vincent and the Grenadines is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
- It is impermissible for there to be a secondary procedure within registration procedures in order to avoid onerousness.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Saint Vincent and the Grenadines as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Saint Vincent and the Grenadines is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of the penal code of Saint Vincent and the Grenadines.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Saint Vincent and the Grenadines to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Saint Vincent and the Grenadines for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration with few to no means of existential recognition.

Positive elements

- Freedom of religion or belief is universally upheld by the government in practice.

Recommendations

- Establish a revitalised recognition system that bestows both existential recognition and legal registration, to all belief systems, and at multiple levels of operation.
- Establish a recognition agency independent of government to manage the recognition system in order to be classified Dynamic.

Restriction tools implemented

- Politicisation of the registration process is possible with the involvement of parliament.
- Stipulatory registration.
- Unstructure in the system which has lead to a lack of provisions for existential recognition.

History of RoRB classification

- Saint Vincent and the Grenadines has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Samoa, Independent State of — Receptive

RoRB and national identity

- The Constitution of Samoa makes an explicit claim to freedom of religion or belief, a claim the government broadly upholds in practice.
- The Constitution of Samoa has established Christianity as the state religion since amendments were made to it in June 2017 which shifted references to Samoa being a Christian nation from the constitution's preamble to its body text, meaning it can potentially be used in legal action.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Samoa.
 - **Establishment of Christianity:** *the preamble to the constitution describes the country as “an Independent State based on Christian principles and Samoan custom and traditions.” In 2017, parliament added the following clause to the first article of the constitution: “Samoa is a Christian nation founded on God the Father, the Son and the Holy Spirit.”*
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Samoa demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration

- **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct what RoRB standards classify to be “basic religious activities” and are therefore exempt from having to submit to registration in order to conduct.
 - **Procedure:** a religious group should submit a registration application to the Ministry of Commerce, Industry and Labor. There is no registration fee.
 - **Legal designation:** a religious group is designated a charitable trust under the law.
 - **Registration benefits:** tax exemptions and legal status.
 - **Unregistration:** unregistered religious groups may not formally buy property or pay employees.

- Evaluations
 - The imposition of a stipulatory registration policy in Samoa is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
 - It is impermissible for unregistered religious groups to not be able to buy property or pay employees according to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Samoa as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Samoa is permitted without restriction, both for personal and propagational use.

- **Pastoral services:** *chaplains representing the majority of Christian denominations in the country continued to be available to prisoners on a rotational basis. Prisoners of non-Christian faiths had access to counselors from their religion.*
- **Places of worship:** individuals or groups may establish a place of worship on community or private land but must obtain approval from the extended family with claims to the land as well as from the village council.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Samoa’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Samoa to investigate cases of human rights violation in the country.
 - **Tax exemption:** *in November, the Ministry of Customs and Revenue issued a public notice announcing its intention to halt enforcement of an amended income tax law, passed in 2017 and effective in 2018, that required ministers of religion to pay income taxes. Cases previously brought by the government against at least 40 pastors from the CCCS for not filing tax returns or paying taxes were dismissed by district courts or withdrawn by the Ministry of Customs and Revenue in July and August 2019. By year’s end, no new charges against pastors had been filed.*

Social dimensions of RoRB

- **Changes to law:** in April and May 2020, the Samoan Law Society and the country’s ombudsman expressed concerns that provisions in the government’s three proposed reform bills—the Constitution Amendment Bill 2020, the Lands and Titles Court Bill 2020, and the Judicature Amendment Bill 2020—could limit religious freedom by removing the Land and Titles Court from the

jurisdiction of the Supreme Court, meaning the latter could no longer review decisions on village customary matters that violated individual rights.

- **Social pressures:** there is strong societal pressure at the village level—including from village councils—to participate in the activities of the main local church.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration procedures for religious groups to attain the status of “charitable trust.”
- Procedures for the registration of secular and religious entities are the same yet establishing separate procedures for registering these two types entities is advisable in order for the state to cater to the particular needs of religious entities, needs that secular entities are less likely to be concerned with.
- The powers of village councils in controlling the religious lives of villagers and the activities of religious organisations in their territory is concerning with recent legislation in 2020 providing more power to village councils to bypass the Supreme Court on issues regarding rights of religious freedom presenting further concern.

Positive elements

- Freedom of religion or belief is generally upheld by the government in practice.
- Horizontal recognition is in effect.
- The government’s establishment of an ombudsman (but should ideally be coupled with a recognition agency).

Recommendations

- Establish a revitalised recognition system that has the capacity for both existential recognition and legal registration bestowed

nationwide, is offered to all belief systems and their derivatives and is bestowed at multiple levels of activity.

- Revoke laws providing undue powers to village councils and the policy of the non-recognition of any religion other than Christianity.
- Establish a recognition agency to manage the recognition system independent of government to become dynamic.

Restriction tools implemented

- Normativism is in effect at the village level.
- Stipulatory registration.
- Village councils have undue power over local religious affairs.
- Unstructure exists within the system.

History of RoRB classification

- Samoa has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

San Marino, Republic of — Apathetic

RoRB and national identity

- The Constitution of San Marino makes an explicit claim to freedom of religion or belief and this right is broadly upheld in practice; religious discrimination is prohibited by law.
- The Republic of San Marino is a secular state.
- However, state privilege is bestowed by the government to the Catholic Church.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in San Marino.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in San Marino demonstrates there to be an issue of the amalgamation of recognition and registration in the country.
 - **Bilateral cooperation agreements:** *a concordat signed in 1992 between the government and the Holy See provides that Catholic chaplains provide spiritual assistance to hospital patients, retirement home residents, and prison inmates, and makes reference to the establishment of a fund to support humanitarian, welfare, and social activities.*

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct what

RoRB standards from the RFSRB classify as “basic religious activities.” Existential recognition and legal registration are amalgamated in the legislation as the term “official recognition” is used in reference to the outcome of registration.

- **Procedure:** an application can be submitted to the Sammarinese government.
- **Legal designation:** non-profit organisation is the primary legal designations for religious groups in the country.
- **Informational requirements:** evidence to the government of nonprofit activities and annual reports, which includes their budget, and the procedure required by the association for its approval.
- **Registration benefits:** taxpayers may allocate 0.3% of their income tax payments to the Catholic Church or another recognised religious or secular group; taxpayers need not be members of a group to earmark a contribution.
- **Monitorial requirements:** the government may periodically audit and inspect organisations, require them to submit additional documentation, and investigate any complaints from organisation members or third parties.
- **Registration rate:** *according to the Ministry of Foreign Affairs, in 2020, the last year for which data were available, 183 nonprofit organizations (the same number as in the previous year) received contributions from taxpayers, in accordance with the law. The government did not indicate how many of these organizations were religious, but among them were the Catholic Church, a number of Catholic associations, the Orthodox Church, Jehovah’s Witnesses, and the Baha’i Faith.*

- Evaluations

- The imposition of a stipulatory registration policy in San Marino is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
- The stipulated monitorial requirements are permissible to RoRB standards as long as they are not used to discriminate

against groups purely based on religion or belief or to favour one group over another.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in San Marino as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into San Marino is permitted without restriction, both for personal and propagational use.
 - **Religious instruction**: Catholic religious instruction is offered in schools but is not mandatory.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of San Marino's penal code.
- Facilitation of religion or belief
 - **Human rights instruments**: San Marino is party to the International Covenant on Civil and Political Rights.
 - **Ombudsmanship**: there is currently no ombudsman office established in San Marino to investigate cases of human rights violation in the country.
 - **State funding**: As of 2019, the last year for which data was available, 183 nonprofit organizations (the same number as in the previous year) received contributions from taxpayers, in accordance with the law. The government did not indicate how many of these organizations were religious, but among them were the Catholic Church, a number of Catholic

associations, the Orthodox Church, Jehovah's Witnesses, and the Baha'i Faith.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in San Marino for this First Edition of *Recognition of Religion or Belief*.

Overview

- A degree of state privilege is bestowed to the Catholic Church.
- Investigations are periodically conducted by state authorities; as long as these "audits" remain non-discriminatory and non-invasive, then these should retain propriety.
- Recognition and registration are amalgamated rather than ideally differentiated; procedures for existential recognition are non-existent with legal registration, especially with a focus on tax-exemption, as being the primary means of gaining any semblance of recognition in this small enclaved country.

Positive elements

- Freedom of religion or belief is broadly upheld by the government in practice.

Recommendations

- Establish a revitalised recognition system that is able to bestow existential recognition and legal registration simultaneously as well as to all belief systems equally and at multiple levels of activity.
- Establish a recognition agency that is independent of government to deal with the revitalised recognition system.

Restriction tools implemented

- A degree of state privilege is in effect.

- Stipulatory registration.

History of RoRB classification

- San Marino has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

São Tomé and Príncipe, Democratic Republic of — Restrictive

RoRB and national identity

- The Constitution of São Tomé and Príncipe makes a claim to freedom of religion or belief, a claim that is generally upheld by the government in practice but with some infractions.
- The Democratic Republic of São Tomé and Príncipe is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in São Tomé and Príncipe.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in São Tomé and Príncipe demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** religious groups are mandated to register with the government to legally exist in the country.
 - **Procedure:** a religious groups must send a letter to the Ministry of Justice, Public Administration, and Human Rights; this first part of the procedure is called authorisation. Once authorisation is obtained, documentation must be sent to a notary public. This documentation holds multiple items and once this is submitted, an announcement is then made in the

government gazette, and only after this may a group operate legally as a fully registered group. Once registered, a group does not need to reregister.

- **Unregistration:** unregistered groups will be fined and unregistered foreign religious groups will be deported from the country.
- **Informational requirements:** the ministry's authorisation letter; the group's statutes; the minutes or report from a meeting attended by at least 500 representatives of the group and signed by its president and secretary; copies of the national identity cards of those who attended this meeting; a list of board members; and a certificate from the Registrar's Office attesting that no existing organisation has the same name.
- **Membership quota:** at least 500 members are required.
- **Registration fee:** 1,000 dobras (\$46) for notarial fees.
- **Public objection restriction tool:** an announcement is published in the government gazette.
- **Registration benefits:** tax exemption.
- **Registration rate:** *during the year, the government did not receive any registration requests for new religious groups.*

- Evaluations

- The imposition of a mandatory registration order is impermissible to RoRB standards.
- The imposition of a registration fee below the stipulated \$100 threshold set down by RoRB standards is permissible.
- The imposition of a membership quota of any kind is impermissible to RoRB standards.
- The use of a public objection restriction tool is impermissible to RoRB standards.
- The fining of unregistered religious groups and the deportation of any foreign members of unregistered religious groups is all impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in São Tomé and Príncipe as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: it seems likely that registration with the government is a precondition to the legal importation of religious materials or devotional items into the country for propagational use. Religious goods imposed for personal use is permitted.
- Penal code
 - **Unregistration**: all unregistered groups will be subject to fines and if the group is of foreign origin, possible expulsion from the country.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in São Tomé and Príncipe to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians**: *in October 2019, lawmakers threatened to expel the Universal Church of the Kingdom of God from the country if it did not resolve the situation of a São Toméan pastor who had been arrested in Côte d'Ivoire for defamation against the church. Violent protests took place that month at the church's São Toméan headquarters. The pastor was subsequently released and returned to São Tomé and Príncipe in December.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration rather than

existential recognition with few to no means for securement of the latter.

- Authorisation in the area of preregistration creates a cumbersome procedure with multiple barriers to final registration.
- Informational requirements are intrusive, particularly requests for the identities of members.
- The rule of mandatory registration violates the Bielefeldt provision.

Positive elements

- Nil.

Recommendations

- To become Receptive, revoke present restrictive policies in the registration process such as retributions for unregistration, authorisation in preregistration, mandatory registration and membership quotas.
- Also to achieve Receptive status, establish a revitalised recognition system that is able to bestow existential recognition and legal registration simultaneously as well as to all belief systems equally and at multiple levels of activity.
- To achieve Dynamic status, establish a recognition agency that is independent of government to deal with the revitalised recognition system.

Restriction tools implemented

- Mandatory registration for all religious groups.
- Membership quotas are in effect.
- Preregistration authorisation makes for an onerous registration procedure.
- Public objection restriction tool is in partial effect.
- Retributions for unregistration includes fines and expulsion (for foreign religious group).

History of RoRB classification

- São Tomé and Príncipe has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Saudi Arabia, Kingdom of — Terminal

RoRB and national identity

- The Basic Law of Saudi Arabia makes no claim to freedom of religion or belief.
- The Basic Law of Saudi Arabia establishes Sunni Islam as the state denomination with Wahhabism holding state privilege by the government.
- The Basic Law states the duty of every citizen is to defend Islam, society, and the homeland.
- The Basic Law states that the Quran and the Sunna are the country's constitution.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Sunni Islam in Saudi Arabia.
- Evaluations
 - The lack of existential recognition in Saudi Arabia for any denomination other than Sunni Islam is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** because no religions other than Islam are allowed to formally operate in Saudi Arabia, there are currently no mechanisms proscribed by the government for the registration of religious groups in the Kingdom.
- Evaluations

- It is impermissible to RoRB standards that a country adopts a policy of non-registration for any group outside the state religion.

Law and policy on religion and belief

- Self-identification
 - **Citizenship law:** a religion by default policy is in place in which all Saudi Arabian citizens must be Muslim. Therefore, non-Muslims must convert to Islam before they are eligible to naturalise. The law requires applicants for citizenship to attest to being Muslim and to obtain a certificate documenting their religious affiliation endorsed by a Muslim religious authority.
 - **National identity documentation:** the government requires non-citizen legal residents to carry an identity card containing a religious designation of “Muslim” or “non-Muslim.” Some residency cards, including some issued during the year, indicate other religious designations, such as “Christian.”
 - **Religious expression:** the government prohibits the public practice of any religion other than Islam.
- Communal activity
 - **Domestic clerics travelling abroad:** *the MOIA must approve clerics traveling abroad to proselytize and they operate under MOIA supervision. The stated purpose of this regulation is to limit the ability of religious scholars to travel or to preach overseas and to prevent the actual or apparent interference by clerics in the domestic affairs of other states.*
 - **Hieronymy:** the importation of larger quantities of religious literature beyond a single text for personal use can carry severe penalties. The importation of non-Islamic religious materials or devotional items for propagational purposes is prohibited due to the criminalisation of non-Islamic

proselytism. A foreigner can bring a religious text into the country as long as it is for personal use only.

- **Online dissemination of religion or belief:** *social media users who post or share content considered to attack religion face imprisonment for up to five years under the Cyber Crimes Law. Those found guilty of distributing content online deemed to disrupt public order, public morals, or religious values may also be subject to a fine up to three million riyals (\$800,000).*
- **Publication of religious materials:** *a royal decree bans publishing anything “contradicting sharia, inciting disruption, serving foreign interests that contradict national interests, and damaging the reputation of the Grand Mufti, members of the Council of Senior Religious Scholars, or senior government officials.”*
- **Proselytism:** the public practice of any form of religion other than Islam is illegal; as is an intention to convert others.
 - *The counterterrorism law criminalises, among other things, “calling for atheist thought in any form or calling into question the fundamentals of the Islamic religion.” It criminalises “anyone who challenges, either directly or indirectly, the religion or justice of the King or Crown Prince.” The law also bans publications that “contradict the provisions of Islamic law,” and other acts including non-Islamic public worship, public display of non-Islamic religious symbols, conversion by a Muslim to another religion, and proselytising by a non-Muslim.*
- Penal code
 - **Atheism:** the counterterrorism law criminalises, among other things, “calling for atheist thought in any form or calling into question the fundamentals of the Islamic religion.” A 2014 royal decree punishes atheism with up to 20 years in prison.
 - **Blasphemy:** blasphemy against Islam is legally punishable by death, but courts have not sentenced individuals to death for

blasphemy since 1992. Punishments for blasphemy may include lengthy prison sentences.

- **Criticism of religion and political descent:** the law criminalises “anyone who challenges, either directly or indirectly, the religion or justice of the King or Crown Prince.” Criticism of Islam, including expression deemed offensive to Muslims, is forbidden on the grounds of preserving social stability.
- **Dissemination:** online commentary that touches on religion can be harshly punished. Among other prominent cases, liberal blogger Raif Badawi, arrested in 2012, received a 10-year prison sentence for blasphemy in 2014 and remained imprisoned in 2020.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Saudi Arabia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Non-Muslims:** although the government recognizes the right of non-Muslims to worship in private, it does not always respect this right in practice.
- **Non-Sunni Muslims:** the government restricts the religious practices of Shiites and of those who practice Sufism. The construction of Shiite mosques is constrained through licensing rules and prohibited outside of Eastern Province, where most Shiites live.
- **Sunni Muslims:** *the government exercises significant influence over Muslim clerics—both officially appointed figures who depend on government patronage and independent religious scholars who need a measure of official goodwill in order to function openly, appear on television, and avoid penalties.*

Overview

- Sunni Islam is the state denomination.
- There is no mechanism for the registering or recognising of non-Islamic groups, organisations, or belief systems; even some Islamic groups, such as Ahmadis, Sufis and Shias, are either restricted or completely prohibited.
- Non-Sunni Muslims may gain a degree of acknowledgement from the state to practice but this in no way equates to the level of recognition maintained by the state-sponsored form of Sunni Islam called Wahhabism.
- Significant control is exerted over Muslim clerics due to the state's imposition of its own interpretation of Islam.
- Terminal censorship of non-Islamic thought and belief permeates the digital landscape.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present apparatus of laws persecuting non-Muslims and non-Islamic religious activity.
- Establish a recognition system that is inclusive of all belief systems and is able to provide both existential recognition and legal registration.
- Revoke the present hegemony of the Wahhabi interpretation of Islam that not only subjugates non-Wahhabi forms of Islam as well as all non-Islamic belief systems.

Restriction tools implemented

- Blasphemy is punished by imprisonment.
- Citizenship restriction tool is in effect and broadly misused to subjugate minorities.

- Criminalisation of atheism and atheist thought is punished with extensive prison sentences; criminalisation of the criticism of Islam is intertwined with criticism of the monarchy.
- Dormant laws exist for capital punishment for blasphemy.
- Misuse of counterterrorism and its weaponisation.
- Politicisation of religion is deeply entrenched.
- Private observance of a non-Islamic religion is routinely intervened by the government.
- Religion by default (specifically Islam by default).
- State definition and interpretation of Islam in favour of a Wahhabi perspective.
- State denomination (as a form of state religion).
- Subjective language is misused throughout the legislation in order to justify actions against what the government calls “terrorists.”

History of RoRB classification

- Saudi Arabia has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Scotland — Apathetic

RoRB and national identity

- The Church of Scotland (Calvinism) is provided with state privilege as the national church but is not the state denomination; therefore, Scotland remains a secular country of the United Kingdom.
- The Scottish government proactively upholds the principle of freedom of religion and belief.
- English law on religious recognition is not applied in Scotland as it possesses a constituent legal system separate from that of the legal system of England.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Scotland.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Scotland demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of BBOs in Scotland as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Scotland as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Scotland is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Scotland's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Scotland to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Scotland for this First Edition of *Recognition of Religion or Belief*.

Overview

- Non-existence of a recognition system; Scotland is classified as apathetic although it is part of a sovereign state, the United Kingdom, that is classified as restrictive due to England's classification.

Positive elements

- Freedom of religion or belief is universally upheld by the government in practice.

Recommendations

- Establish distinct provisions for legal registration and existential recognition of religious entities.

Restriction tools implemented

- Non-percolative recognition.

History of RoRB classification

- Scotland has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Senegal, Republic of — Restrictive

RoRB and national identity

- The Constitution of Senegal makes an explicit claim to freedom of religion or belief, a claim that is generally upheld but is still infringed by the government.
- The Republic of Senegal is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Senegal.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Senegal demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not mandate that religious groups register with it, to receive “financial contributions from private sources” including donations requires registration which in turn makes registration procedures pseudo-mandatory. There are no penalties for unregistered groups except that they do not receive the benefits that are tied into registration.
 - **Procedure:** religious groups, as well as faith-based NGOs or organisations otherwise affiliated with a religion, should submit an application to the Ministry of Interior. There are additional registration procedures, the second procedure is

mandatory while the third is mandatory but only applicable to groups of foreign origin (GFOs).

- **Secondary procedure:** *religious groups must obtain authorisation from the Ministry of Women, Family, and Gender in order to operate. This second registration requirement allows the government to monitor organisations operating in the field of social development and identify any interventions these organisations implement.*
 - *The Ministry of Interior and the Ministry of Women, Family, Gender, and Child Protection continued to require registration of domestic associations, including religious groups and NGOs affiliated with them, to ensure they operated according to the terms of their registration.*
 - **Tertiary procedure:** foreign NGOs, including those affiliated with religious groups, must obtain an authorisation from the Ministry of Foreign Affairs.
 - *The Ministry of Foreign Affairs continued the same practice with foreign-based NGOs, including those affiliated with religious groups. Each association submitted an annual report, including a financial report, which the ministries used to track potential threats against national security.*
 - **Legal designation:** religious groups are designated associations in law.
 - **Longevity quota:** active in the country for at least two years.
 - **Informational requirements:** documentation proving the group fulfils the longevity quota; a mission statement; bylaws; a list of goals, objectives, activities, or projects implemented; and proof of previous and future funding.
 - **Qualifications:** the group and its leader must pass a security background check.
 - **Registration benefits:** conduct business, own property, establish a bank account, receive financial contributions from private sources, and receive applicable tax exemptions such as on donations received by the registered group.
-
- Evaluations

- The imposition of a stipulatory registration policy in Senegal is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
- The imposition of a longevity quota is impermissible to RoRB standards.
- The informational requirements requested as part of registration procedures are impermissible to RoRB standards, namely documentation regarding the group’s fulfilment of the imposed longevity quota as well as previous and future funding of the group; the request for information about the group’s activities is permissible as long as this information is not misused against groups unfavoured by the state.
- The imposition of secondary and tertiary procedures is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Senegal as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Senegal is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Senegal’s penal code.
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Senegal to investigate cases of human rights violation in the country.
- **State funding:** *the government continued to provide direct financial and material assistance to religious groups for use primarily in maintaining or rehabilitating places of worship or for underwriting special events. There continued to be no formal procedure for applying for assistance. All religious groups continued to have access to these funds and competed on an ad hoc basis to obtain them. President Macky Sall occasionally visited and supported beneficiaries of these funds.*

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Senegal for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration with few to no mechanisms provided by the state to obtain existential recognition.
- Informational requirements seem appropriate but need continued monitoring to ensure they are not further extended and do not violate the Durham principles and the broader spirit of freedom of religion or belief.
- Two step authorisation for religious organisations with the Ministry of Women, Family and Gender and then a three step authorisation with the Ministry of Foreign Affairs for foreign religious groups to operate in the country demonstrate a slight instance of restriction.

Positive elements

- Freedom of religion or belief is generally upheld.

Recommendations

- To attain Receptive status, revoke two-step and three-step authorisations for religious groups and foreign religious groups; also, dissolve the implementation of any longevity quotas.
- Also to attain Receptive status, establish a revitalised recognition system that has within provisions for both existential recognition and legal registration, is inclusive of all belief systems, and can be apply recognition and registration at multiple levels of activity and operation.
- To attain Dynamic status, establish a recognition agency that is independent of government to manage the recognition system.

Restriction tools implemented

- Ambiguity exists in the legislation.
- Longevity quotas are in effect.
- Stipulatory registration.
- Unstructure exists within the system.

History of RoRB classification

- Senegal has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Serbia, Republic of — Restrictive

RoRB and national identity

- The Constitution of Serbia makes an explicit claim to freedom of religion or belief, a right that is generally upheld in practice but with some infractions by the government.
- The Republic of Serbia is a secular state.
- However, the government extends state privilege to the Serbian Orthodox Church.

Recognition law

- Structures and procedures for existential recognition
 - *The law grants special treatment to seven religious groups the government defines as “traditional.” These are the SOC, Roman Catholic Church, Slovak Evangelical Church, Reformed Christian Church, Evangelical Christian Church, Jewish community, and the Islamic community. In addition to these groups, the government grants traditional status, solely in Vojvodina Province, to the Diocese of Dacia Felix of the Romanian Orthodox Church, which has its seat in Romania and administrative seat in Vrsac in Vojvodina.*
 - *The Islamic community is divided between the Islamic Community of Serbia, with its seat in Belgrade, and the Islamic Community in Serbia, with its seat in Novi Pazar. Both Islamic communities are registered with the government and may conduct most normal business, such as receiving financial assistance from the government, receiving healthcare and pension benefits for clergy, maintaining tax-exempt status, holding bank accounts, owning property, and employing staff. Neither group, however, has absolute authority over matters regarding the entire Islamic community.*
 - **Recognition benefits:** the law grants the seven traditional religious groups, but not other registered religious groups, the right to receive value-added tax refunds on all purchases enumerated under law and to provide chaplain services to military personnel (which is a basic religious

activity and so therefore should not be dependent upon a group's registered status).

- Evaluations
 - The current recognition system must be expanded to include new and alternative religious groups as well as atheist and humanist communities and their institutions so that they may also receive existential recognition from the state.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not mandate that religious groups register with it, in order for a religious group to conduct the “basic religious activity” of owning property for religious services, registration is required makes the procedures pseudo-mandatory in nature. The seven aforementioned traditional religious groups recognised by law are automatically registered in the Register of Churches and Religious Communities.
 - **Procedure:** a religious group should submit a registration application to the Ministry of Justice which maintains the Register of Churches and Religious Communities and is responsible for overseeing religious registration in Serbia.
 - **Legal designations:** “church” is a term reserved for Christian religious groups, while the term “religious community” refers to non-Christian groups and to some Christian entities.
 - **Signature quota:** signatures of at least 100 citizen members.
 - **Qualifications:** the law prohibits registration if an applicant group's name includes part of the name of an existing registered group (**nominal restriction**).
 - **Informational requirements:** the names, identity numbers, and copies of notarised identity documents of at least 100 citizen members; its statutes and a summary of its religious teachings, ceremonies, religious goals, and basic activities; and information on its sources of funding.

- **Registration benefits:** eligibility to build new places of worship, own property, apply for property restitution, or receive state funding for their activities; registration is also required to open bank accounts and hire staff; registered clerics of registered groups are entitled to government support for social and health insurance and a retirement plan²⁵; the law also exempts registered groups from property and administrative taxes.
- **Denial of registration:** if the Ministry of Justice rejects a registration application, the religious group may appeal the decision in court.
- **Unregistration:** the law intimates that unregistered groups are required to submit annual financial reports as exemption from having to file such reports is listed as one of the benefits of registration.
- **Registration rate:** *there are 28 “nontraditional” religious groups registered with the government, compared with 27 in 2020: the Seventh-day Adventist Church, Evangelical Methodist Church, The Church of Jesus Christ of Latter-day Saints, Evangelical Church in Serbia, Church of Christ’s Love, Spiritual Church of Christ, Union of Christian Baptist Churches in Serbia, Nazarene Christian Religious Community (associated with the Apostolic Christian Church [Nazarene]), Church of God in Serbia, Protestant Christian Community in Serbia, Church of Christ Brethren in Serbia, Free Belgrade Church, Jehovah’s Witnesses, Zion Sacrament Church, Union of Seventh-day Adventist Reform Movement, Protestant Evangelical Church Spiritual Center, Evangelical Church of Christ, Slovak Union of Baptist Churches, Union of Baptist Churches in Serbia, Charismatic Community of Faith in Serbia, the Buddhist Religious Community Nichiren Daishonin, the LOGOS Christian Community in Serbia, Golgotha Church in Serbia, Theravada Buddhist Community in Serbia, Biblical Center Good News, First Roma Christian Church Leskovac, Vaishnava Religious Community-International Society for Krishna Consciousness, Protestant Reformed Church of Czechs Veliko Srediste, and New Apostolic*

²⁵ according to government sources, 2,270 clergy from 17 registered groups used these benefits.

Church in Serbia. Several of these organizations are umbrella groups that oversee many individual churches, sometimes of slightly differing affiliations.

- Evaluations
 - The imposition of a stipulatory registration policy in Serbia is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
 - The provision that a denial of registration may be appealed in court is welcomed.
 - However, the imposition of a signature quota and some of the informational requirements requesting intricate details of religious doctrines and sources of funding are impermissible to RoRB standards.
 - Stating that registration is a prerequisite for the “basic religious activity” of owning property is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Serbia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Serbia is permitted without restriction, both for personal and propagational use.
 - **Restitution:** *the Law on Restitution of Property to Churches and Religious Communities regulates restitution claims for religious property and endowments confiscated in 1945 or later, but only for registered religious groups. The Holocaust-era Heirless and Unclaimed Property Law permits individual claims*

for properties lost by Holocaust victims, but religious groups may not claim property confiscated prior to 1945. In accordance with the Terezin Declaration on Holocaust-era assets, the Holocaust-era Heirless and Unclaimed Property Law provides for the restitution of heirless and unclaimed Jewish property seized during the Holocaust, allowing the Jewish community to file restitution claims based on these seizures, while still permitting future claimants to come forward. The law defines “heirless property” as any property not the subject of a legitimate claim for restitution. This law governs personal property taken from members of the Jewish community during the Holocaust, primarily consisting of nonreligious residential and business property and agricultural land. The Jewish community must prove the former owner of the property was a member of the community and that the property was confiscated during the Holocaust. The law also stipulates financial support from the state budget for the Jewish community of 950,000 euros (\$1.08 million) per year for a 25-year period, which began with an initial payment in 2017. The law requires the appointment of a supervisory board with representatives from the country’s Jewish community, the World Jewish Restitution Organization, and a government-appointed chairperson to oversee implementation of the restitution law’s provisions. The law established a February 28, 2019 deadline for filing claims.

- *According to Muslim leaders, the fact that neither the Islamic Community of Serbia nor the Islamic Community in Serbia had authority over matters regarding the entire Muslim community complicated efforts to pursue restitution claims with the government. The Restitution Agency continued to process claims by the Islamic communities but did not retribute any properties to them during the year.*

- Penal code

- **Prohibitions:** *according to the constitution, the Constitutional Court may ban a religious community for activities infringing on the right to life or health, the rights of the child, the right to personal and family integrity, public safety, and order, or if it incites religious, national, or racial intolerance. It also states the*

Constitutional Court may ban an association that incites religious hatred.

- Facilitation of religion or belief
 - **Dedicated ministry:** *the Ministry of Justice's Directorate for Cooperation with Churches and Religious Communities manages all matters pertaining to the cooperation of the state with churches and religious communities. These include assistance to national minorities in protecting the religious traditions integral to their cultural and ethnic identity, cooperation between the state and SOC dioceses abroad, support for religious education, and support for and protection of the legal standing of churches and religious communities.*
 - **Ombudsmanship:** *the newly established Ministry for Human and Minority Rights and Social Dialogue is tasked with combating misperceptions and hate.*
 - **State funding:** *in April and August 2021, the government granted 1.7 billion dinars (\$16.41 million) and 720 million dinars (\$6.95 million), respectively, to the SOC for completion of the Cathedral of St. Sava in Belgrade. Representatives of other churches and religious communities said the funding was preferential treatment for the SOC.*

Social dimensions of RoRB

- **Jehovah's Witnesses:** *Jehovah's Witnesses reported they had ceased door-to-door preaching since the beginning of the COVID-19 pandemic and, as a result, had limited engagement with the public and therefore no cases of abuse or harassment as in previous years. They reported the conclusion of two court cases related to harassment during the year. The first case stemmed from a 2019 incident in which the police issued a misdemeanour to a member of the Church for occupying a public area while preaching and using a mobile literature cart. In April, the court ordered the Jehovah's Witness to pay a fee of 29,000 dinars (\$280). In the second case, stemming from a similar but earlier incident in 2019, the court determined the statute of limitations had expired, and closed the*

case without issuing a final ruling. Jehovah's Witnesses reported they maintained good communication with the Ministry of Justice with respect to registration of their congregations and registered five new ones during the year. Jehovah's Witnesses expressed frustration at having to pay value-added tax, which according to national law is only refunded to the seven traditional religious groups. Together with other smaller religious communities, they said they planned to engage the government to change this law but believed the likelihood of immediate change was small.

- **Muslims:** in January 2021, the Islamic Community of Serbia, with its seat in Belgrade and registered in 2006, filed charges against the government before the European Court of Human Rights for registering the separate Islamic Community in Serbia, with its seat in Novi Pazar, in 2007. The Islamic Community of Serbia stated the Islamic Community in Serbia's name was too closely linked to its own and therefore, per its interpretation of Serbian law, should not have been registered. The court case continued at year's end.
- **Orthodox Christians:** the Macedonian and Montenegrin Orthodox Churches remained unregistered and, according to the government, the Churches have not attempted to register in the country for almost 10 years. The government stated it maintained its policy of deferring to the SOC for recognition of any other Orthodox Church body in keeping with generally accepted Orthodox canons (other than the Romanian Orthodox Church in Vojvodina) in the country and that secular authorities should refrain from resolving issues among individual Orthodox Churches.

Overview

- Recognition and registration are differentiated in Serbia, however existential recognition is not available to all belief systems, denominations and communities, only a select group.
- Use of the concept of "traditional religion" is widespread in the legislation and is misused as a way of discriminating against groups favourable to the government and those not favourable.
- A system of partial recognition exists whereby even if a group successfully registers, it hasn't the opportunity to gain the same

level of recognition as those seven declared “traditional” groups delineated in the legislation.

- Informational requirements for registration are intrusive, particularly the requests for identification numbers and identity documents of members; also, requests for doctrinal information is vulnerable to misuse.

Positive elements

- Freedom of religion or belief is generally, but not broadly, upheld in practice.
- The newly established Ministry for Human and Minority Rights and Social Dialogue shows dynamic character for Serbia.

Recommendations

- Dismantle the present system that adopts partial recognition.
- Establish a revitalised recognition system that bestows existential recognition and legal registration to all belief systems and their derivatives.
- Establish a recognition agency that manages this recognition system in a way that is independent of the government’s control.
- Reduce the intrusiveness of informational requirements.

Restriction tools implemented

- Intrusive informational requirements.
- Membership quotas are in effect.
- Misuse of the phrase “traditional religion” to exclude certain groups from existential recognition.
- Partial recognition is in effect.
- Stipulatory registration.

History of RoRB classification

- Serbia was originally classified Receptive in the 2021 RoRB Index.
- However, with a greater focus placed on “basic religious activities” as the determiner of SRR classification, Serbia’s

stipulation that owning property requires a religious group to undergo registration with the government is a violation of RoRB standards on what is and is not registrable (subject to registration); hence, in the 2022 RoRB Index, Serbia is reclassified Restrictive.

Seychelles, Republic of — Restrictive

RoRB and national identity

- The Constitution of Seychelles makes an explicit claim to freedom of religion or belief, a claim that is generally upheld in practice by the government but with some infractions.
- The Republic of Seychelles is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - Roman Catholic, Anglican, and Seventh-day Adventist Churches, Islamic groups, and the Baha'i local spiritual assembly are bestowed existential recognition by the Seychellois government.
- Evaluations
 - Formal procedures for existential recognition need to be established so that different belief systems and religions can make the government away of their existence in the country.

Registration law

- Structures and procedures of legal registration
 - **Quasi-mandatory registration:** all religious groups are required to register with the government as a matter of principle although there are no prescribed penalties for unregistration.
 - **Procedure:** a religious group must submit an application form the Registrar of Associations primarily through a process of an act of incorporation.
 - **Secondary procedure:** a religious group must submit an application form to the Finance Ministry which is an additional procedure to receive registration benefits which highlights a situation of dual registration.

- **Registration benefits:** tax benefits – namely tax exemptions on the importation of goods – and corporate social responsibility assistance for projects that advance the country’s socioeconomic goals.
- **Legal designations:** there are two legal designations for religious groups in Seychelles, either corporation (or corporate body) or association.
- **Informational requirements:** its name, location, rules, and list of assets; the name, occupation, and addresses of officers and at least seven members; and the resolution appointing its officers.
- **Membership quota:** seven members, especially required to register as an association.
- **Registration benefits:** legal status and the right, for example, to petition the government for broadcast time for religious programming (subject to **preapproval**) or permission to provide spiritual counsel in prisons.
- **Potential amendments to registration law:** *because of COVID-19 restrictions that limited gatherings, the government suspended public discussion of a proposed amendment to the law regulating religious groups and associations (the Registration Act). The amendment would impose new criteria for registering heads of religious groups and establish mechanisms to detect financial fraud and terrorist financing through religious groups. SIFCO supported the amendment and continued to express concern regarding the number of religious groups that registered as nongovernmental organizations. SIFCO also expressed concerns about the registration process, which it said could attract fraudulent religious groups to the country, some of which could be involved in money laundering.*

- Evaluations

- The imposition of a quasi-mandatory registration order is impermissible to RoRB standards.
- The informational requirements requested as part of registration procedures are impermissible to RoRB standards for being too excessive.
- The imposition of a membership quota onto registrant religious groups is impermissible to RoRB standards.

- The country's registration benefits including the permission to provide spiritual counsel in prisons is impermissible to RoRB standards as this is considered a "basic religious activity".

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Seychelles as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Broadcasting:** *the law prohibits religious groups from obtaining radio or television licenses. The state-funded Seychelles Broadcasting Corporation (SBC) provides broadcast time to religious groups on national radio and for an early morning television program. Access to radio programming is granted based on the size of each group's membership. Religious groups may publish newspapers.*
 - **Hieronymy:** *the importation of religious materials or devotional items into Seychelles is permitted without restriction, both for personal and propagational use.*
 - **Pastoral services:** *various religious groups stated they continued to engage with prison authorities to carry out spiritual and religious activities in prisons.*
 - **Religious holidays:** *the SBC continued to broadcast religious programming for holidays such as Christmas, the Assumption of the Virgin Mary, and the feast of the Immaculate Conception. Due to COVID-19 restrictions that prohibited large gatherings, the SBC continued to broadcast 90-minute Catholic and Anglican services weekly on the radio, and it opened the television channels to all other groups for prayer services, including regular Friday prayers for Muslims. The state-funded broadcaster continued to review and approve all other religious programming to ensure hate speech was not broadcast. Other*

religious programming consisted of 15-minute prerecorded prayers by Muslim, Hindu, Baha'i, Seventh-day Adventist, Catholic, and Anglican groups every two weeks. Private radio and television stations did not feature religious programs.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of the penal code of Seychelles.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Seychelles to investigate cases of human rights violation in the country.
 - **Outreach:** *President Ramkalawan met with representatives of several religious groups throughout the year, including Catholic leaders, members of the Seychelles Bible Society, the secretary general of the World Evangelical Alliance, and members of the newly created National Muslim Council of Seychelles. When he met with the Seychelles Bible Society in March, the President said he supported its project to create a “Bible House,” which would be a center for Bible study and would provide counselling services to various Christian groups. With the Muslim Council of Seychelles, the President’s discussions centred on the role of that new umbrella organization in representing the three Muslim groups in the country.*
 - *President Ramkalawan met with the outgoing chair of SIFCO, Bishop Denis Wiehe, in October 2021 as part of his pledge to respond to SIFCO’s call for the government to consult religious leaders in the lawmaking process. The President then announced that the government would not provide land at Ile Perseverance for SIFCO to build an interfaith house of worship because each faith group had different rites; the government would instead assist the various groups to build their own places of worship. SIFCO, which had leased the land in question for 50 years, stated, “The President was entitled to his views regarding the use of the land, and SIFCO has proposed to build an orthodox church [instead of the*

interfaith house of worship].” The SIFCO statement continued, “SIFCO is an independent NGO that has close relations with the government regarding policies and laws and respects all opinions and views. [The] ultimate decision [about how it uses land] rests, however, with its management and its members.”

Social dimensions of RoRB

- **Non-Catholics:** non-Catholic students in public schools providing Catholic instruction have no access to alternative activities during those classes.

Overview

- Recognition and registration are amalgamates rather than ideally differentiated; there exists provisions only for legal registration and none for existential recognition.
- The two legal categories for registration create a vertical recognition system.
- Informational requirements, apart from the membership quotas, are appropriate.
- A separate procedure for gaining tax-exempt status seems inappropriate typically as it is standard practice for receptive and certainly dynamic systems that groups need only register with one governmental body to receive tax-exempt status.

Positive elements

- Freedom of religion or belief is broadly upheld in practice by the government.

Recommendations

- Opportunities to gain existential recognition must be expanded to all belief systems and religions and their respective communities.
- Resolve some of the identified persistent issues within the present system.

- To become classified Receptive, establish a reorganised recognition system that bestows existential recognition and legal registration to all belief systems and their derivatives.
- To become classified Dynamic, establish a recognition agency that manages this recognition system in a way that is independent of the government's control.

Restriction tools implemented

- Membership quotas are in effect (albeit it is relatively low).
- Stipulatory registration.
- Unstructure exists within the system which has caused a lack of provisions for existential recognition.

History of RoRB classification

- Seychelles was originally classified Apathetic in the 2021 RoRB Index.
- However, with a greater focus placed on “basic religious activities” as the determiner of SRR classification, the Seychelles’ stipulation that providing counsel in prisons requires a religious group to undergo registration with the government is a violation of RoRB standards on what is and is not registrable (subject to registration); hence, in the 2022 RoRB Index, Seychelles is reclassified Restrictive.

Sierra Leone, Republic of — Receptive

RoRB and national identity

- The Constitution of Sierra Leone makes an explicit claim to freedom of religion or belief, a claim that the government broadly upholds in practice.
- The Republic of Sierra Leone is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Sierra Leone.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Sierra Leone demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it in order for groups to conduct what RoRB standards classify as “basic religious activities”.
 - **Procedure:** an applicant religious group should submit registration forms to the Ministry of Social Welfare which is responsible for religious registration.
 - **Secondary procedure:** *religious groups intending to engage in charitable activities are required to establish a separate unit to carry out such functions and to register*

that entity as an NGO with the Sierra Leone Association of Non-Governmental Organizations.

- **Informational requirements:** police clearance, proof of funding, a list of partners, and annual work plans to receive tax concessions.
 - **Reregistration:** religious groups are required to renew their registration annually in order to maintain registered status and thereby the benefits that are associated with this status.
 - **Registration benefits:** tax exemptions and waiver benefits when importing religious materials.
- Evaluations
 - The imposition of a stipulatory registration policy in Sierra Leone is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
 - The imposition of an annual reregistration policy is impermissible to RoRB standards.
 - The imposition of a secondary procedure in the registration process is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Sierra Leone as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Sierra Leone is permitted without restriction, both for personal and propagational use.
- Penal code

- There is nothing of particular concern to RoRB standards in the present version of Sierra Leone's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Sierra Leone to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims:** *during Friday prayers, an imam in Imperi Chiefdom, Bonthe District, did not follow the UCI directive and spoke out against the restrictions on religious services, stating that the government was kuffar (a derogatory term meaning non-Muslim) because it had closed places of worship while allowing entertainment venues to remain open. His message reportedly angered his congregation in Imperi Chiefdom, which is a ruling party stronghold, and members made a formal complaint to the district's chief imam. The chief imam was instructed by his superiors to suspend the local imam while UCI investigated the matter. The imam formally apologised to his congregation, his superiors, and the ruling party's district chairman. According to the UCI public relations officer, some individuals felt the imam was suspended for political reasons, but the UCI investigation did not support the claim of government interference in the suspension.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration with only a semblance of recognition granted through means of tax-exemption.
- Amalgamated procedures for religious organisation to register to conduct charitable activities are not ideal as it is advisable that all procedures for secular and religious entity registration remain separated.

Positive elements

- Freedom of religion or belief is broadly upheld by the government.

Recommendations

- To be classified Receptive, establish differentiated provisions for existential recognition and legal registration by reorganising the present recognition system so that it has the capacity to make such provisions.
- To be classified Dynamic, establish a recognition agency that is independent of government control to manage the recognition system.
- Revoke the secondary procedure in the registration process and the annual reregistration order.

Restriction tools implemented

- Stipulatory registration.
- Reregistration is mandated annually to maintain tax-exemption benefits.
- Unstructure exists within the system.

History of RoRB classification

- Sierra Leone has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Singapore, Republic of — Censorious

RoRB and national identity

- The Constitution of Singapore makes an explicit claim to freedom of religion or belief although this right is regularly infringed upon by the government in practice.
- The Republic of Singapore is a secular state.
- The government provides existential recognition to the following religions: Buddhism, Christianity, Islam, Hinduism, Taoism, Sikhism, Judaism, Zoroastrianism, Jainism and the Bahá'í Faith.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Singapore.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Singapore demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Conditional registration:** the government requires all religious groups that have exceeded 10 members to register with it (it remains unclear with a religious group below ten members can register). Pseudo-mandatory registration is also imposed when a registration benefit is to "hold public meetings" which is a basic religious activity and should therefore not be subject to registration.

- **Procedure:** registration of religious groups confers legal identity to them.
 - **Registration benefits:** own property, hold public meetings, and conduct financial transactions. Registered religious groups may apply to establish and maintain charitable and humanitarian institutions, which enables them to solicit and receive funding and tax benefits, such as income tax exemptions.
 - **Deregistration:** *registered societies are subject to potential deregistration by the government on a variety of grounds, such as having purposes prejudicial to public peace, welfare, or good order. Deregistration makes it impossible to maintain a legal identity as a religious group, with consequences related to owning property, conducting financial transactions, and holding public meetings.*
- Evaluations
 - The imposition of a conditional registration policy is impermissible to RoRB standards.
 - The present version of the deregistration policy is impermissible to RoRB standards.
 - Some of the registration benefits listed are classified as “basic religious activities” which means that the registration procedures are pseudo-mandatory.

Law and policy on religion and belief

- Self-identification
 - **Conscientious objection:** *the official website of Jehovah’s Witnesses reported that as of December 2021, 17 Jehovah’s Witnesses were held in the armed forces’ detention facility for refusing on religious grounds to complete national service compared with 12 the previous year.*
- Communal activity
 - **Broadcasting:** *the government continued to prohibit religious content from being broadcast on television “in order to*

maintain a secular public broadcast service.” The communal call to prayer and Ramadan sermons continued to be broadcast on radio and to be available on the internet.

- **Censorship of Islam:** *the constitution states Malays are “the indigenous people of Singapore,” and it requires the government to protect and promote their interests, including religious interests. The Islamic Religious Council (MUIS), established under the Ministry of Culture, Community, and Youth (MCCY), administers affairs for all Muslims in the country such as the construction and management of mosques, halal certification, fatwa issuances, preparation of Friday sermons, and Hajj arrangements. The MUIS includes representatives from the Sunni majority and Muslim minority groups, including Shia. Use of MUIS sermons is not compulsory, but imams who use their own content are responsible for it and the government may investigate them if there are complaints.*
 - *Under the law, certain criminal offenses apply only to those who profess Islam. This includes publicly teaching or expounding any doctrine relating to Islam in a manner contrary to Islamic law, which carries a maximum fine of 2,000 SGD (\$1,500), maximum imprisonment of 12 months, or both. It is also a criminal offence for Muslims to cohabit outside of marriage, but the government has not enforced that law in decades.*
- **Endowment and advisory boards:** *the government appoints all members of the MUIS and the Hindu Endowments Board and nominates four of the 11 members of the Sikh Advisory Board. These statutory boards manage various aspects of their faith communities, ranging from managing properties and endowments to safeguarding customs and the general welfare of the community.*
- **Hierarcy:** *the government may prohibit the importation of publications, including religious publications, under the law. The banned status of Jehovah’s Witnesses in the country means their literature is prohibited from being imported even for personal use. The legal importation of religious materials or devotional items into Singapore is also contingent on*

successful registration of that group with the government. As long as the group to which the literature belonging is not banned, importing religious texts and other religious goods for personal use is permitted without restriction.

- **Pastoral services:** *prisoners, including those in solitary confinement, are allowed access to chaplains of registered religious groups. Members of unregistered or banned religious groups, including Jehovah's Witnesses, the Unification Church, International Society for Krishna Consciousness, Christian Conference of Asia, and Shincheonji Church, do not have this right.*
- **Places of worship:** *the government assisted religious groups in locating spaces for religious observance in government-built housing, where most citizens live. The government continued to enforce the maintenance of ethnic ratios in public housing to prevent the emergence of ethnic and religious enclaves in concentrated geographic areas.*
- **Proselytism:** *while there is no law prohibiting proselytization, the government continued to limit its practice through the application of laws regarding public speech, assembly, and broadcasting; authorities cited concerns that proselytising might offend other religious groups and upset intergroup relations.*
- **Religious events and gatherings:** *citizens require a permit to speak at indoor gatherings open to the public that are outside of the hearing or view of nonparticipants if the topic refers to race or religion. Indoor, private events are not subject to the same restrictions. Organisers of private events, however, must prevent inadvertent access by uninvited guests or they can be cited for non-compliance with the rules regarding public gatherings.*
- **Religious literature:** *by law, a publication is considered objectionable if it describes, depicts, expresses, or deals with, among other things, matters of race or religion in such a manner that the availability of the publication is likely to cause feelings of enmity, hatred, ill will, or hostility among racial or religious groups.*

- **Structure of religious organisations:** *it states every religious group has the right to manage its own religious affairs, and it does not prohibit restrictions on employment by a religious institution.*
- **Zoning laws and land use:** *the Ministry of National Development and the Urban Redevelopment Authority (URA) establish the guidelines on land development and use of space for religious activities. The URA regulates all land usage and decides where organisations may be located. Religious buildings are primarily classified as places of worship. A group seeking a new place of worship must apply to the URA for a permit. The ministry and the URA determine whether a religious institution meets the requirements as a place of worship, such as being located in an allotted zone or not exceeding the maximum plot ratio and building height. URA guidelines regulate the use of commercially and industrially zoned space for religious activities and religious groups; they apply equally to all religious groups. Commercial or industrial premises that host religious activities but are not zoned as places of worship must be approved by the URA. They may not be owned by or exclusively leased to religious organisations or limited to religious use and must also be available to rent out for nonreligious events. They may not display signage, advertisements, or posters of the religious use; be furnished to resemble a worship hall; or display any religious symbols, icons, or religious paraphernalia when the premises are not in use by the religious organisation. Use of the space for religious purposes must not cause parking, noise, or other problems.*
- Penal code
 - The penal code explicitly prohibits “wounding religious feelings”.
 - **Prohibitions:** both the Jehovah’s Witnesses and the Unification Church are banned in Singapore, citing a narrative tool of national security concerns regarding these two groups.

- *The government maintains a decades-long ban on Jehovah's Witnesses and the Unification Church. The government banned Jehovah's Witnesses in 1972 on the grounds the religion was prejudicial to public welfare and order because it objected to national service, reciting the national pledge, or singing the national anthem. The government banned the Unification Church in 1982 on the grounds it was a "cult" that could have detrimental effects on society.*
 - **JW literature:** all written materials published by the International Bible Students Association and the Watchtower Bible and Tract Society, publishing arms of the Jehovah's Witnesses, remain banned by the government.
- *At year's end, the MHA continued an investigation begun in February 2020 of a local unregistered chapter of the South Korean Shincheonji Church under the authority of national security legislation that could ban the organization's activities in the country. The ministry said the group had used deceptive recruitment methods and misled individuals. In November 2020, the ministry announced police arrested 21 members of the organization under the Societies Act for being members of an "unlawful society" and for resuming activities "covertly," despite warnings from the ministry to cease.*
- **Religious literature:** for offenses involving the publication of objectionable material, an individual may be liable upon conviction to a fine not exceeding 5,000 SGD (\$3,800), imprisonment for a term not exceeding 12 months, or both. A person in possession of a prohibited publication may be fined up to 2,000 SGD (\$1,500) and imprisoned for up to 12 months for a first conviction.
- **Unregistration:** a person who acts as a member of or attends a meeting of an unregistered group may be punished with a fine of up to 5,000 SGD (\$3,800), imprisonment of up to three years, or both.
- Facilitation of religion or belief

- **Dedicated ministry:** *the Presidential Council for Minority Rights, an advisory body that is part of the legislative process, examines all legislation to ensure it does not disadvantage specific religious groups. The council also considers and reports on matters concerning any religious group that the parliament or the government refers to it.*
- **Interfaith dialogue:** *ministers frequently gave speeches on strengthening religious pluralism and participated in virtual interfaith dialogues led by societal organizations.*
- **Ombudsmanship:** *there is currently no ombudsman office established in Singapore to investigate cases of human rights violation in the country.*

Social dimensions of RoRB

- **Muslims:** *Muslim religious teachers must be certified by the Asatizah Recognition Board, a body of religious scholars under the purview of the state's Islamic Religious Council of Singapore. The system is seen as an effort to ensure that only state-approved forms of Islam are taught.*
 - *In January 2021, MUIS disclosed that it filed a police report on an unregistered Islamic religious school in 2019 and police were investigating the head of the school for providing religious classes without being registered with MUIS.*

Overview

- Recognition and registration are amalgamated in Singapore rather than ideally differentiated; a focus is placed on the legal registration of religious groups with few to no means for existential recognition.
- The requirement of a permit to speak at indoor gatherings on the topics of race or religion is censorious.
- The rule of mandatory registration is a violation of the Bielefeldt provision; unregistered groups are not able to establish charities.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Dismantlement of the present apparatus of laws restricting religious activity must take place for Singapore to rise to Restrictive status; also, crucially, reverse of all religious prohibitions (e.g. those imposed against Jehovah's Witnesses).
- Restrictions and the use of subjective language in the legislation as a means for restriction would need to be revoked in order for the country to rise to Receptive status; restrictions on religious literature and the fines and imprisonment imposed for unregistered groups must also be abolished.
- Establish a reorganised recognition system that extends both existential recognition and legal registration to all belief systems and their derivatives equally.

Restriction tools implemented

- Broad scope exists for the government to censor religious publications, banning their importation or distribution; fines and imprisonment are standard retribution's for the possession or distribution of banned materials.
- Mandatory registration for all groups with more than 10 persons.
- Nationwide ban on Jehovah's Witnesses and the Unification Church.
- State definitions and interpretation of religions exist, especially Islam.
- Subjective language is used throughout the legislation which leaves groups vulnerable to being charges with baseless of breaking the law and then facing deregistration and other retributions.
- The government exists significant restrictions on how religious groups may gather or use property with the banning of advertisements and signage demonstrating religious use of buildings being particularly censorial.
- Unregistration, both leading or otherwise joining such a group, results in a fine and/or imprisonment.

- Weaponisation of the word “cult”.
- Zoning laws are misused against religious groups.

History of RoRB classification

- Singapore has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Sint Maarten — Apathetic

RoRB and national identity

- The Constitution of the Country of Sint Maarten makes a claim to freedom of religion or belief, a claim that the government broadly upholds in practice.
- Sint Maarten is a secular territory.
- Dutch law on religious recognition is not applied in Sint Maarten as a constituent country of the Kingdom of the Netherlands (non-percolative recognition is therefore in effect in Sint Maarten).

Recognition law

- Structures and procedures for existential recognition
 - There is limited information on existential recognition for religions in Sint Maarten for this First Edition of *Recognition of Religion or Belief*.

Registration law

- Structures and procedures of legal registration
 - Registration of religious groups is not mandated by the government in Sint Maarten.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Sint Maarten as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity

- **Hierony:** the importation of religious materials or devotional items into Sint Maarten is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Sint Maarten's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** although the Netherlands has an established office of the National Ombudsman and a youth ombudsman, it is unclear whether their jurisdiction reaches to Sint Maarten and other Dutch overseas territories as many of these territories are self-governing.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Sint Maarten for this First Edition of *Recognition of Religion or Belief*.

Overview

- Unsure of the existence of a recognition system – perhaps connected to the Netherlands.
- Non-percolative recognition.

History of RoRB classification

- Sint Maarten has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Slovak Republic — Restrictive

RoRB and national identity

- The Constitution of Slovakia makes an explicit claim to freedom of religion or belief which the government generally upholds in practice but with some infractions of this right
- The Slovak Republic is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Slovakia.
 - **Bilateral cooperation agreement:** *a concordat with the Holy See provides the legal framework for relations among the government, the Roman Catholic Church in the country, and the Holy See. Two corollaries cover the operation of Catholic religious schools, the teaching of Catholic religious education as a subject in public schools, and the service of Catholic priests as military chaplains. A single agreement between the government and 11 of the 17 other registered religious groups provides similar status to those groups. These 11 religious groups may also provide military chaplains. The unanimous approval of all existing parties to the agreement is required for other religious groups to obtain similar benefits.*
 - **Religion on the census:** *in the 2021 census, individuals could for the first time select Islam, Hinduism, or Buddhism as their religion. The census also applied to persons with temporary residence in the country for the first time, a measure that was praised by the Muslim community. Previous censuses had counted only persons with permanent residence, while Islam could be declared only under the “other religions” category.*
- Evaluations

- The lack of existential recognition for belief systems and their communities in Slovakia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** the government does not mandate that all religious groups register with it but because unregistered groups cannot conduct some basic religious activities, this undermines the stipulatory nature of the registration procedures hence classifying them pseudo-mandatory.
 - **Procedure:** religious groups are required to register with the Ministry of Culture's Department of Church Affairs. The Department of Church Affairs oversees relations between religious groups and the state and manages the distribution of state subsidies to religious groups and associations. The ministry may not legally intervene in the internal affairs of religious groups or direct their activities.
 - **Legal designation:** the primary legal designation in use is religious group.
 - **Membership quota:** must have a minimum of 50,000 adherents. The 50,000 persons must be adult citizens or permanent residents (**nationality quota**).
 - **Signature quota:** the 50,000 persons must submit to the Ministry of Culture an "honest declaration" attesting to their membership, knowledge of the articles of faith and basic tenets of the religion, personal identity numbers and home addresses of all members, and support for the group's registration.
 - **Registration benefits:** to employ spiritual leaders to perform officially recognised functions, clergy may officiate weddings, and receive state funding.
 - **Unregistration:** clergy from unregistered religious groups do not have the right to minister to their members in prisons or government hospitals.

- **Preregistered groups:** all groups registered before these requirements came into effect in 2017 remained registered without having to meet the 50,000-adherent requirement.
- **Registration rate:** no new religious groups have attained recognition under the revised requirements from 2017.
- **Organisation title:** according to the law, only groups that register using the title “church” in their official name may call themselves a church (**nominal restriction**), but there is no other legal distinction between registered “churches” and other registered religious groups.
- **Alternative procedure:** for religious groups failing to reach the 50,000 adult adherents membership and signature quotas, the government offers an alternative pathway with a lesser degree of registered status however creating a vertical system.
 - **Legal designation:** religious groups following the secondary pathway may register to be legally designated as civic associations.
 - **Registration benefits:** the legal status necessary to carry out activities such as maintaining a bank account, entering into a contract, or acquiring or renting property. In doing so, however, the group may not identify itself officially as a religious group (**nominal restriction**), since the law governing registration of civic associations specifically excludes religious groups from obtaining this status.
 - **Membership quota:** three citizen members must identify themselves as belonging to the association to complete registration procedures.
 - **Informational requirements:** the three identified citizen members are required to provide their names and addresses and the name, goals, organisational structure, executive bodies, and budgetary rules of the group.
- **Registration rate:** *the 18 registered religious groups are: the Apostolic Church, Baha’i Community, The Brotherhood Unity of Baptists, Seventh-day Adventists, Brotherhood Church, Czechoslovak Hussite Church, The Church of Jesus Christ of Latter-day Saints, Evangelical Church of the Augsburg Confession, Evangelical Methodist Church, Greek Catholic Church, Christian Congregations, Jehovah’s Witnesses, New*

Apostolic Church, Orthodox Church, Reformed Christian Church, Roman Catholic Church, Old Catholic Church, and Central Union of Jewish Religious Communities. Registered groups receive annual state subsidies. All but the Evangelical Church of the Augsburg Confession, Greek Catholic Church, Orthodox Church, Reformed Christian Church, and Roman Catholic Church have fewer than 50,000 members, but they registered before this requirement came into effect.

- Evaluations
 - The imposition of a pseudo-mandatory registration policy onto registrant religious groups is impermissible to RoRB standards.
 - The Slovak government's imposition of a membership quota, however small, is impermissible to RoRB standards as is the imposition of a signature quota.
 - The stipulated informational requirements are also impermissible to RoRB standards by the fact that personal details of citizen members are requested.
 - Two of the registration benefits stated are classified as "basic religious activities" which makes the registration procedures pseudo-mandatory.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Slovakia as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Broadcasting:** *the law requires public broadcasters to allocate program time for registered religious groups but not for unregistered groups.*
 - **Hieronymy:** rules surrounding the importation of religious materials or devotional items into Slovakia remain unclear

regarding whether unregistered religious groups may import their literature and other religious groups for propagational purposes. The importation of religious groups for personal use is permitted without restriction.

- **Officiation of ceremonies:** civil functions such as weddings officiated by clergy from registered groups are recognised by the state, while those presided over by clergy from unregistered groups are not, and couples must undergo an additional civil ceremony.
- **Pastoral activities:** unregistered groups may apply to provide spiritual guidance to their adherents in prisons, but they have no legal recourse if their requests are denied.
- **Religious education:** unregistered groups lack legal status and may not establish religious schools or receive government funding.
 - *In both public and private schools, religion class curricula do not mention unregistered groups or some of the smaller registered groups, and unregistered groups may not teach their faiths at schools. Teachers normally teach about the tenets of their own faith, although they may teach about other faiths as well. Depending on the registered religious group and the school, other religious groups may appoint the teachers of their classes.*
- **Religious services:** unregistered groups may conduct religious services, which the government recognises as private, rather than religious activities.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Slovakia's penal code.
- Facilitation of religion or belief
 - **Interreligious dialogue:** *on September 12 2021, during Pope Francis's four-day visit to the country, President Zuzana*

Caputova hosted an official welcoming ceremony in the presidential garden for selected guests, including political representatives, representatives of state and public institutions, members of academia and the scientific community, health professionals, media, representatives of minorities and NGOs, and representatives of religious communities, including the Muslim community. The President did not invite representatives from other unregistered churches and religious communities to the event.

- **Ombudsmanship:** the Ombudsman Act (564/2001) established the role of the ombudsperson in Slovakia with Mária Patakyová, the most recent ombudsperson, have been elected in 2017.
 - *In May 2021, the Public Defender of Rights (ombudsperson) published her annual report. She also said that a regulation introduced by the Public Health Authority in May 2020 that listed religious activities that were exempted from restrictions on public events did, however, discriminate against some registered religious groups, since it specifically included first holy communion and confirmation as exempted activities – rites that not all religious groups in the country perform.*
- **State funding:** unregistered groups may not receive government funding. *In January 2020, a legislative amendment took effect, increasing the total state subsidy to registered churches and religious communities and basing the funding for each group on the number of adherents reported in the most recent census, rather than the number of clergy. Under the new law, religious groups have more leeway to determine the use of the government subsidies, since these are no longer predominantly earmarked towards covering clergy salaries, and future payments will be adjusted for inflation.*
 - *the government allocated approximately 52 million euros (\$58.96 million) in its annual state subsidies to the 18 registered religious groups, compared with 51.7 million euros (\$58.62 million) in 2020. Up to 80 percent of each group's subsidy was used to pay the group's clergy and operating costs.*

- *The Ministry of Culture’s cultural grant program continued to allocate funding for the upkeep of religious monuments and cultural heritage sites owned by religious groups. In 2020, the ministry allocated approximately five million euros (\$5.67 million) for these purposes, compared with 6.5 million euros (\$7.37 million) in 2019.*
- *Some members of religious groups continued to state their groups’ reliance on direct government funding limited their independence and religious freedom, and they said religious groups self-censored potential criticism of the government on sensitive topics to avoid jeopardizing their relationship with the state and, consequently, their finances. There were no reports, however, that the government arbitrarily altered the amount of subsidies provided to individual religious groups.*

Social dimensions of RoRB

- **Denial of registration:** *the Ministry of Culture again did not reconsider its repeated rejections of the 2007 registration application of the Grace Christian Fellowship, despite Supreme Court rulings in 2009 and 2012 ordering it to do so. In the past, the ministry said it based its rejections on assessments by several religious affairs experts that the group promoted hatred toward other religious groups. In June 2020, the Bratislava Regional Court dismissed the Grace Christian Fellowship’s legal action contesting the legality of the ministry’s 2018 decision. The group appealed to the Supreme Court. The case was pending as of December.*

Overview

- Recognition and registration are amalgamated in Slovakia rather than ideally differentiated; the primary means of recognition is via legal registration.
- A vertical recognition system exists between religious groups and civic associations.
- Some nominal restrictions exist pertaining to the use of the word “church” and restrictions are made regarding use of the classification “religious group.”

- The imposition of new membership quotas for religious groups is demonstrative of the government's renewed restrictive approach to religion, particularly evidential is that no religious groups have successfully registered since the law came into effect.
- The rule of mandatory registration violates the Bielefeldt provision.

Positive elements

- Horizontal recognition is in effect.
- Laws exist against government intervention in the internal affairs of religious groups; however, the degree to which this upheld fluctuates and contradictions exist within the legislation.

Recommendations

- Dismantlement of the apparatus of laws restricting religious activity, including all the above identified restriction tools.
- To be classified Receptive, establish differentiated provisions for existential recognition and legal registration by reorganising the present recognition system so that it has the capacity to make such provisions.
- To be classified Dynamic, establish a recognition agency that is independent of government to manage the recognition system.

Restriction tools implemented

- Mandatory registration for religious groups.
- Significant membership quotas are in effect.
- Unregistration results in multiple limitations and institutional hurdles.
- Vertical recognition is in effect.

History of RoRB classification

- Slovakia has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Slovenia, Republic of — Restrictive

RoRB and national identity

- The Constitution of Slovenia makes an explicit claim to freedom of religion or belief, a claim that the government generally upholds in practice but with some notable infractions.
- The Republic of Slovenia is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Slovenia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Slovenia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government neither mandates that religious groups register with it nor does it restrict the basic religious activities of unregistered groups in accordance with RoRB standards.
 - **Procedure:** a religious group must submit an application to the Ministry of Culture (MOC). The MOC establishes and manages the procedures for registration, issues documents related to the legal status of registered communities, distributes funds allocated in the government's budget for religious activities, organises discussions and gatherings of religious communities to address religious freedom

concerns, and provides information to religious groups on the legal provisions and regulations related to their activities.

- **Legal designation:** officially recognised religious entities.
- **Informational requirements:** providing proof that the group meets the stated membership quota, the name of the group, which must be clearly distinguishable from the names of other religious groups; the group's address in the country; and a copy of its official seal to be used in legal transactions. The group must also provide the names of the group's representatives in the country, a description of the foundations of the group's religious beliefs, and a copy of its organisational act.
- **Membership quota:** at least 10 adult members either citizens or permanent residents (**nationality quota**).
- **Registration fee:** an administrative tax of 22.60 euros (\$28).
- **Registration benefits:** tax exemption on properties used for religious purposes, rebates on value-added taxes and are entitled to government co-financing of social security contributions for their religious workers. Registered religious groups may provide religious services to military, police, prisons, hospitals, and social care institutions.
- **Responsibilities:** the law states that both registered and unregistered groups have a responsibility to respect the constitution and the legal provisions on nondiscrimination.
 - **Alternative procedure:** unregistered religious groups can follow an alternative pathway for recognition in law so that they can purchase property but they are required to pay taxes on that property as a result of their unregistration.
 - **Legal designation:** the secondary legal designation is a legal association.
- **Cosponsorship:** if a group wishes to apply for government cosponsorship of social security for clergy members:
 - **Membership quota:** it must show it has at least 1,000 members for every clergy member.
- **Denial of registration:** *the government may refuse the registration of a religious group only if the group does not provide the required application materials in full or if the*

MOC determines the group is a “hate group” – an organisation engaging in hate crimes, as defined by the penal code.

- **Registration rate:** *the government registered one new religious group during the year: Eno (One). This brought the total number of registered religious groups to 55.*

- Evaluations

- The imposition of a stipulatory registration policy in Slovenia is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
- The imposition of a membership quota is impermissible to RoRB standards.
- The following informational requirements requested as part of registration procedures are impermissible to RoRB standards: proof to fulfil membership quota; the other informational requirements are permissible as long as they are not misused to restrict religious groups the government does not favour; the Slovenian government has a positive human rights record which lends credibility to the notion that the government does not hold nefarious intent with these informational requirements.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Slovenia as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity

- **Charitable activities:** *Charitable organizations connected with a religious community are unable automatically to participate in public tenders. Such organizations must first prove their NGO status to the government and then formally request*

consideration, as must NGOs that are not connected with religious groups.

- *Archbishop Zore stated he was generally pleased with how the Catholic Church and the National Institute for Public Health had coordinated during the COVID-19 pandemic.*

Acknowledging the size and strength of the Catholic Church in the country in negotiations with the government, Archbishop Zore said the Church fought for all religious communities to receive aid. He expressed regret, however, regarding how charity organizations connected with a religious community could not automatically participate in public tenders but at each instance were obliged to prove their NGO status to the government and request to be treated equally with other NGOs. The majority of state tenders excluded humanitarian organizations connected with the Church.

- **Hieronymy:** the importation of religious materials or devotional items into Slovenia is permitted without restriction, both for personal and propagational use.
- **Organisation:** according to the law, the rights of registered and unregistered religious groups include autonomy in selecting their legal form and constituency; freedom to define their internal organisation and name and define the competencies of their employees; autonomy in defining the rights and obligations of their members; latitude to participate in interconfessional organisations within the country or abroad; and freedom to construct buildings for religious purposes.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Slovenia's penal code.
- Facilitation of religion or belief
 - **Dedicated office:** the MOC's Office for Religious Communities monitors and maintains records on registered

religious communities and provides legal expertise and assistance to religious organisations.

- **Ombudsmanship:** the role of the Human Rights Ombudsman was introduced in 1991 through the Constitution and deals with all kinds of rights violation in the country.

Social dimensions of RoRB

- **Muslims:** the country's first mosque officially opened in February 2020, after years of institutional resistance to its construction.
- **Vandalism and hate speech:** there are occasional instances of vandalism of religious buildings, and of hate speech by high-profile figures.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; there are not distinguished provisions for existential recognition and legal registration.

Positive elements

- Broad provisions are set in place to for both registered and unregistered groups to operate freely without government intervention.
- Freedom of religion or belief is generally upheld by the government in practice.
- Provisions exist to stop the government from denying registration for groups based on their beliefs and practices.
- The Office for Religious Communities provides widespread support and guidance for religious organisations.

Recommendations

- Establish separate procedures for existential recognition and legal registration; resolve identified restriction tools such as excessive informational requirements, membership quota among others.
- To be classified Dynamic, establish a recognition agency to manage the recognition system and its provisions for recognition and registration; this recognition agency should operate independently of the government.

Restriction tools implemented

- Membership quotas are in effect for both registration and for eligibility for further benefits.
- Relatively mild form of vertical recognition exists.
- Stipulatory registration.

History of RoRB classification

- Slovenia was classified Receptive in the SRR in the first edition of the RoRB Index in 2021.
- However, Slovenia was reclassified Restrictive in the 2022 RoRB Index.

Solomon Islands — Restrictive

RoRB and national identity

- The Constitution of Solomon Islands makes an explicit claim to freedom of religion or belief, a claim that is generally upheld by the government in practice but with some infractions identified.
- The Solomon Islands is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in the Solomon Islands.
 - **Potential establishment of Christianity:** *as of year's end, the Constitutional Review Committee had not finalised draft constitutional changes intended to implement a 2017 parliamentary motion to explore the possibility of amending the preamble of the constitution to declare the country a Christian nation. Ministry of Justice officials said the proposal had not moved from the constitutional review committee in parliament. According to these officials, parliamentarians in the new government did not take up the proposal since its original submission and determined the proposal was unlikely to be reviewed during this term. Members of minority faiths said that most citizens, who are predominantly Christian and Protestant, would likely support the proposed amendment.*
- Evaluations
 - The lack of existential recognition for belief systems and their communities in the Solomon Islands demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration (broad application):** the government mandates that all religious groups register with it.
 - **Procedure:** religious groups must apply in writing to the Registrar of Companies for a certificate of registration meaning the primary process of registration is certification. Required documentation must then be submitted to the Registrar of Companies. The registrar issues a certificate when satisfied that the requirements have been met and that the nature, extent, objectives, and circumstances of the applicant are non-commercial.
 - **Legal designation:** the primary legal designation is charitable organisation, a legal entity status that is available to both religious and secular organisations.
 - **Informational requirements:** a description of the group, a list of board members, and a constitution that states how the group is governed and how members are chosen.
 - **Waived registration fee:** application fee of 1,250 Solomon Islands dollars (SBD) (\$160) is waived for religious groups but is still applied to secular organisations.
 - **Registration rate:** *multiple religious groups, including Christian, Jewish, and Islamic groups, were registered in the country. Government sources stated there were no pending registrations for other groups. Officials said that some groups were able to register as NGOs or charities without being required to reveal any religious affiliation.*

- Evaluations
 - The imposition of a mandatory registration order is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in the Solomon Islands as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: rules surrounding the legality of importing religious materials or devotional items into Solomon Islands by unregistered groups for propagational purposes remains unclear. The importation of religious texts and other religious goods for personal use is permitted without restriction.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of the penal code of the Solomon Islands.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Solomon Islands to investigate cases of human rights violation in the country.
 - **Outreach**: *the Ministry of Home Affairs and the MTGPEA continued to interact with religious groups. The Ministry of Home Affairs characterized its role as maintaining a balance between constitutionally protected rights of religious freedom, free speech, and free expression, and maintaining public order.*
 - **State funding**: *the MTGPEA provided funding to churches to carry out social programs, such as a Christian care center for victims of domestic violence administrated by the Anglican Church of Melanesia, and for the maintenance of church buildings.*

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in the Solomon Islands for this First Edition of *Recognition of Religion or Belief*.

Overview

- Informational requirements are not inappropriate but require continued monitoring to ensure they are not unduly expanded and are not misapplied.
- The required administration fee for registration is not inappropriate but does exceed the majority of other registration fees.
- The rule of mandatory registration violates the Bielefeldt provision; this means automatic categorisation as restriction according to the Spectrum of Religious Recognition.

Positive elements

- Freedom of religion or belief is generally upheld by the government in practice.

Recommendations

- Establish provisions for existential recognition distinct from legal registration by reorganising the recognition system.
- Revoke the rule of mandatory registration.
- To be classified Receptive, establish a recognition agency to manage the recognition system independently of the government.

Restriction tools implemented

- Mandatory registration for all religious groups.
- Unstructure exists within the system that has led to a lack of provisions for existential recognition.

History of RoRB classification

- The Solomon Islands has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Somalia, Federal Republic of — Terminal

RoRB and national identity

- The Constitution of Somalia makes an implicit claim to freedom of religion or belief although this right is systematically infringed upon by the government in practice.
- Article 2 of the Provisional Constitution of the Federal Republic of Somalia establishes Sunni Islam as the state denomination.
- The Constitution also states that “no religion other than Islam can be propagated in the Federal Republic of Somalia”.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Sunni Islam in Somalia.
 - **Presidential religion:** *the PFC requires the President, but not other office holders, to be Muslim. The Somaliland constitution requires Somaliland’s President and candidates for Vice President and the House of Representatives to be Muslim.*
- Evaluations
 - The lack of existential recognition in Somalia for any denomination other than Sunni Islam is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Malregistration:** guidance on how to register or what is required is inconsistent and the government has no ability to implement its registration procedures outside Mogadishu.

- **Procedure:** the Federal Ministry of Endowments and Religious Affairs is assigned to deal with the registration of religious groups in the country.
 - **Non-registration:** Somaliland and all other Federal Member States (FMS) administrations have no mechanisms for the registration of religious organisations, Islamic or otherwise.
- Evaluations
 - The imposition of a policy of non-registration is impermissible to RoRB standards.
 - The existence of malregistration is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Religious conversion:** local laws in Somalia (including Somaliland) prohibit Muslims from converting to another religion.
- Communal activity
 - **Hieronymy:** rules surrounding the importation of religious materials or devotional items into Somalia remain unclear due to the precarious political situation. It is likely that religious materials intended for propagational use are prohibited and that personal use items would be permitted, however, the federal government's jurisdiction does not continue beyond Mogadishu meaning that possessing non-Islamic religious materials in areas controlled by Islamist militant groups may bring about criminal and possibly fatal consequences.
 - **Proselytism, propagation and dissemination:** local laws in Somalia (including Somaliland) prohibit the propagation of any religion other than Islam.

- *Federal and FMS governments maintained bans on the propagation of religions other than Islam. The federal government reportedly continued not to strictly enforce the registration requirement for religious groups opening schools for lay or religious instruction.*
- **Religious education:** *the law requires Islamic instruction in all schools, public or private. Private schools have more flexibility in determining their curricula. These schools must request approval from the Federal Ministry of Education, Culture, and Higher Education; however, requests are infrequent. Non-Muslim students attending public schools may request an exemption from Islamic instruction, but according to federal and FMS authorities, there have been no such requests.*
- Penal code
 - **Applicability of the penal code:** *the national penal code generally remains valid in all regions of the country but the government does not have the power to enforce it.*
 - **Sharia law:** *given sharia's role as the ostensible basis for national laws and the prohibition under Islamic jurisprudence for Muslims' conversion to other religions, the relationship among sharia, the PFC, and the penal code remains unclear.*
 - **Blasphemy laws:** *criminalisation of blasphemy and the "defamation of Islam", which carries penalties of up to two years in prison.*
 - **Religious conversion:** *illegal in some regions and suspicions of conversion can draw significant societal harassment and ostracism.*
- Facilitation of religion or belief
 - **Dedicated ministry:** *the Federal Ministry of Endowments and Religious Affairs is responsible for monitoring religious affairs and promoting religious tolerance between practitioners of Islam and members of minority religious groups. Specific*

responsibilities of the ministry include arranging affairs for Somali Hajj pilgrims and developing messaging to counter al-Shabaab ideology. It also has the mandate to regulate religious instruction throughout the country.

- **Ombudsmanship:** there is currently no ombudsman office established in Somalia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians:** there is a very small Christian community whose members generally do not practice their religion in public.
 - *According to several Christian advocacy groups working in the region, on January 25 2021, Somaliland police in Hargeisa arrested six local residents on charges of offenses against the state religion (Islam) and inciting others to disobey laws relating to public order. Three of them were also charged with apostasy and with spreading and teaching Christianity. These groups stated that Somaliland authorities denied their lawyers access to their clients ahead of the trial. On August 5, a Hargeisa court dismissed all charges against the group and released them immediately.*
- **Terrorism:** in areas under their control, the Shabaab use violence to enforce their interpretation of Islam, including execution as a penalty for alleged apostasy.

Overview

- Sunni Islam is the state denomination.
- Procedures for registration of religious groups remain undetermined while the government has limited capacity to register or otherwise monitor religious activity beyond the capital; no other Federal Members States (FMS) have established mechanisms for registration or recognition of religious groups; this widespread non-existence of recognition or registration procedures perpetuates the hegemonic use of Sunni Islam to subjugate minorities.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present apparatus of terminally restrictive laws on religious activity including the repressive penal code that criminalises blasphemy and conversion from Islam.
- Establish provisions for recognition and registration and make these available to all belief systems and their derivatives; establish this recognition system in a way that does not place Islam above all other belief systems and groups.

Restriction tools implemented

- Ambiguity within the legislation is widespread; many topics regarding religious activity remain undetermined and in rural Southern areas, al-Shabaab continue to assert their interpretation as Sharia law.
- Blasphemy laws prohibit defamation of Islam.
- Conversion from Islam is criminalised.
- False claim to freedom of religion or belief.
- Normativism is widespread and deeply entrenched.
- Religion by default (specifically Sunni Islam by default).
- Retributions for blasphemy include imprisonment.
- State denomination (as a form of state religion).

History of RoRB classification

- Somalia has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Somaliland, Republic of — Terminal

RoRB and national identity

- The Constitution of Somaliland makes a claim to freedom of belief but does not claim freedom of religion.
- The Constitution of Somaliland establishes Islam as the state religion without making any specification as to a state denomination.
- The Constitution of Somaliland also states that propagation of any religion other than Islam is illegal.
- The state promotes Islamic religious tenets, “shall fulfil Sharia principles and discourage immoral acts and reprehensible behaviour.”
- Non-percolative recognition is in effect.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Islam in Somaliland.
- Evaluations
 - The lack of existential recognition in Somaliland for any denomination other than Islam is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** there is no mechanism for religious groups and organisations to register with the government.
- Evaluations

- The imposition of a policy of non-registration is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Religious conversion:** the Constitution states that “Islamic Sharia does not accept that a Muslim person can renounce his beliefs”.
- Communal activity
 - **Hieronymy:** the importation of non-Islamic religious materials or devotional items into Somaliland is prohibited, both for personal and propagational use.
 - **Places of worship:** places of worship must obtain government permission to operate.
 - **Proselytism:** proselytisation, propagation and dissemination of any non-Islamic religion or belief are all prohibited by the Constitution.
 - **Religious education:** *religious schools and formal places of worship must obtain permission to operate from the Somaliland Ministry of Religion. Somaliland law does not articulate consequences for operating without permission. Other FMS administrations require formal places of worship and religious schools to obtain permission to operate from local authorities.*
- Penal code
 - There is insufficient information about Somaliland’s penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Somaliland to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Somaliland for this First Edition of *Recognition of Religion or Belief*.

Overview

- Islam is the state religion.
- There exists no mechanism for either existential recognition or legal registration of any non-Islamic group while procedures for the registration of Islamic groups remain undetermined.

Positive elements

- Nil.

Recommendations

- Abolish the criminalisation of conversion from Islam and other fundamental exercises of freedom of religion or belief such as the repressive laws on non-Islamic proselytism.
- Establish provisions for the existential recognition of religions other than Islam.
- Establish provisions for the legal registration of belief-based organisations other than those of Islamic affiliation.

Restriction tools implemented

- False claim to freedom of religion or belief.
- Religion by default (specifically Sunni Islam by default).
- State religion.

History of RoRB classification

- Somaliland has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

South Africa, Republic of — Apathetic

RoRB and national identity

- The Constitution of South Africa makes an explicit claim to freedom of religion or belief, a right that is broadly upheld by the government in practice.
- The Republic of South Africa is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in South Africa.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in South Africa demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not require that religious groups register with it in order for them to conduct what RoRB standards classify as “basic religious activities”.
 - **Procedure:** a religious group should submit an application to the provincial social development office. A group registers once with the local office and its status then applies nationwide.
 - **Legal designation:** public benefit organisation is the primary legal designation for both religious and secular non-profit organisations.

- **Informational requirements:** the group's constitution, contact information, list of officers, and documentation stating they meet a number of prescribed requirements that largely ensure accounting and tax compliance.
- **Registration benefits:** open bank accounts and exempting them from paying income tax.
- **Monitorial requirements:** the group must submit annual reports on any changes to this information, important achievements and meetings, and financial information, as well as an accountant's report.
- **Potential amendments to registration law instituting mandatory registration:** *several groups, including the Southern Africa Catholic Bishops' Conference, the nonprofit Christian organization Freedom of Religion South Africa, and the International Institute for Religious Freedom, stated their continued opposition to a 2016 CRL legislative proposal requiring religious groups to register, on the grounds that it would restrict their religious freedom. The proposal would require religious groups to register formally with the government and would create a peer review council, consisting of representatives from various religious groups, which would grant organizations and individual religious leaders' permission to operate. The proposal remained with the parliamentary Portfolio Committee on Cooperative Governance and Traditional Affairs at year's end.*

- Evaluations

- The imposition of a stipulatory registration policy in South Africa is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of "basic religious activities" as defined by RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in South

Africa as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into South Africa is permitted without restriction, both for personal and propagational use.
 - **Political activity**: religious leaders are largely free to engage in discussions of a political nature without fear of adverse consequences.
 - **Religious education**: *the government allows but does not require religious education in public schools but prohibits advocating the tenets of a particular religion.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of South Africa's penal code.
- Facilitation of religion or belief
 - **Dedicated ministry**: *the constitution establishes and governs the operation of the CRL, which has the mission of fostering the rights of communities to freely observe and practice their cultures, religions, and language. The CRL is an independent national government institution whose chair is appointed by the President and whose commissioners include members of the clergy, scholars, and politicians, among others.*
 - **Ombudsmanship**: the two roles of the Public Protector and the Auditor-General perform functions akin to that of an ombudsman in South Africa.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in South Africa for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration with few to no means of existential recognition; procedures for registration are not distinguished for religious between secular entities.
- Mandatory annual reports look to be appropriate as long as they only cover financial information and that such information provided is not misused.

Positive elements

- Freedom of religion or belief is broadly upheld by the government in practice.
- The one-step procedure granting nationwide registration shows dynamic character as it avoids the procedure becoming onerous.

Recommendations

- A lack of distinction between procedures for registering religious and secular entities needs to be resolved through the differentiation of procedures for these two types of entities.

Restriction tools implemented

- Stipulatory registration.
- Unstructure exists within the system which has led to a lack of provisions for existential recognition and registration procedures for religious entities that are not distinct from secular ones.

History of RoRB classification

- South Africa has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

South Ossetia – the state of Alania, Republic of — Censorious

RoRB and national identity

- The Constitution of South Ossetia makes an explicit claim to freedom of religion or belief, a claim the government consistently infracts upon in practice.
- The Republic of South Ossetia is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in South Ossetia.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in South Ossetia demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of religious organisations and BBOs in South Ossetia as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification

- There is insufficient information regarding self-identification in South Ossetia as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into South Ossetia is permitted without restriction, both for personal and propagational use, although likely except for the Jehovah's Witnesses due to their status as a banned religious group.
- Penal code
 - **Prohibitions**: in 2017, South Ossetia's de facto Supreme Court outlawed Jehovah's Witnesses as an "extremist" organisation; the group had been banned in Russia earlier that year as an example of the exportation of worst practice due to South Ossetia's influence by the Russian Federation.
- Facilitation of religion or belief
 - **Ombudsmanship**: Inal Tasoev is the incumbent ombudsperson in the territory as the Presidential Commissioner for Human Rights.

Social dimensions of RoRB

- **Orthodox Christians**: some property of the Georgian Orthodox Church is controlled by the South Ossetian Orthodox Church (called the Eparchy).

Overview

- Some property of the Georgian Orthodox Church is controlled by the South Ossetian Orthodox Church (called the Eparchy).
- In 2017, South Ossetia's de facto Supreme Court outlawed Jehovah's Witnesses as an "extremist" organisation; the group had been banned in Russia earlier that year.

Recommendations

- Revoke the prohibition of Jehovah's Witnesses and any other form of religious prohibition.
- Ensure that the Russian Federation's exportation of worst practice does not continue to take place in the territory to the detriment of RoRB and FoRB conditions.

History of RoRB classification

- South Ossetia has been classified Censorious in the SRR since the first iteration of the RoRB Index in 2021.

South Sudan, Republic of — Restrictive

RoRB and national identity

- The interim Constitution of South Sudan makes a claim to freedom of religion or belief and although the government generally upholds this right, some infractions of this right have been identified.
- The Republic of South Sudan is a secular state.
- The transitional constitution allows religious groups to establish and maintain “appropriate” faith-based charitable or humanitarian institutions.
- The transitional constitution specifies that the regulation of religious matters within each state is the executive and legislative responsibility of the state government. It establishes the responsibility of government at all levels to protect monuments and places of religious importance from destruction or desecration.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in South Sudan.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in South Sudan demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration

- **Quasi-mandatory and broad mandatory registration:** the government mandates that all religious groups register with it order to conduct “basic religious activities” as defined by RoRB standards. *The transitional constitution specifies that the regulation of religious matters within each state is the executive and legislative responsibility of the state government. It establishes the responsibility of government at all levels to protect monuments and places of religious importance from destruction or desecration.*
 - **Procedure:** a religious group must register with the government authority of the state in which the religious group is operating.
 - **Secondary procedure:** if the group conducts any humanitarian or development projects then it must also register with the Relief and Rehabilitation Commission which in turn results in registration with the Ministry of Humanitarian Affairs.
 - **Qualifications** (for GFOs only): a copy of a previous registration with another government and a letter from the organisation’s headquarters endorsing or otherwise commissioning their activities in the country.
 - **Informational requirements:** the religious group’s constitution, a statement of faith documenting their doctrines, beliefs, objectives, and holy book and a list of executive members.
 - **Registration fee:** a one-time fee of \$3,500 which grossly exceeds RoRB standards and is the highest religious registration fee in the world.
 - Registration fee is not strictly enforced and neither is registration as a whole (quasi-mandatory policy).
 - **Registration rate:** despite the mandatoriness of registration, many churches are known to continue operating without registering.
- Evaluations
 - The imposition of a mandatory registration order onto registrant religious groups is impermissible to RoRB standards.

- The informational requirements requested as part of registration procedures is impermissible to RoRB standards, namely the documentation of doctrines; any biographical information requested of members
- The imposition of a registration fee that exceeds the \$100 threshold set down by RoRB standards.
- The stipulated qualification for groups of foreign origin (GFOs) is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in South Sudan as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Charitable and humanitarian activities:** *the transitional constitution allows religious groups to establish and maintain “appropriate” faith-based charitable or humanitarian institutions.*
 - **Hieronymy:** it remains unclear whether the legal importation of religious materials or devotional items into South Sudan for propagational use is contingent on a government having registered with the government. The importation of religious materials and devotional items into South Sudan for personal use is permitted.
 - **Religious events:** *both Christian and Islamic prayers were given to open most official events, with the government often providing translation from English to Arabic.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of South Sudan’s penal code.

- Facilitation of religion or belief
 - **Government accessibility:** *religious leaders said they generally had good access to government officials and that their relationship with authorities remained broadly positive.*
 - **Ombudsmanship:** there is currently no ombudsman office established in South Sudan to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Lack of law and order:** *Religious leaders expressed concern the continued breakdown in law and order increased the risk of harm to all entities operating in the country.*
- **Violent extremism:** houses of worship—used as places of refuge for civilians—have been attacked by gunmen seeking members of rival ethnic groups.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; there is a focus on legal registration while few to no means of existential recognition are offered.
- Beyond Liberia and Palau, South Sudan has the highest registration fee for religious organisations in the world.
- Demands of multiple procedures for registration for different aspects of any religious group is onerous.
- Fairly unique is South Sudan's requirement that foreign religious groups provide proof of their prior registration with another government as part of the registration process.
- Informational requirements seem appropriate but will require continued monitoring to ensure they are not unduly expanded any further or are not misapplied to the detriment of religious groups.
- The reports that many religious groups operate without registration demonstrates a breakdown within the recognition

system, particularly regarding its efficacy; essentially, reports that many groups bypass registration is not necessarily a positive sign as it shows a lack of engagement between religious organisations and the government as well as the onerousness of the requirements.

Positive elements

- Horizontal recognition is in effect.

Recommendations

- Establish a reorganised recognition system that can bestow both existential recognition and legal registration simultaneously and one that offers these to all belief systems equally.
- Reduce the excessive registration fee presently imposed.
- Revoke secondary procedures in the registration process and halt the request for more qualifications for GFOs in comparison to domestic groups.

Restriction tools implemented

- Ambiguity remains in the legislation as to proselytism, public gatherings and other aspects of religious activity.
- Mandatory registration.
- Ongoing violence caused by interethnic tension continues to undermine activities of the government in preserving religious freedom.
- Segmentation of the registration process is in effect whereby registration and other matters relating to religion are managed provincially rather than nationally.
- South Sudan demands the highest registration fee out of any country in the world.
- It remains unclear the degree to which registration procedures and recognition statuses vary between states in the country.
- Unstructure and issues of engagement persist within the recognition system which undermine its role in the country.

- Use of subjective language in the legislation gives broad scope for the government to deny registration yet its actions still remain within “the law”.

History of RoRB classification

- South Sudan has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Spain, Kingdom of — Restrictive

RoRB and national identity

- The Constitution of Spain makes an explicit claim to freedom of religion or belief, a right that the government generally upholds in practice but with some infractions.
- The Kingdom of Spain is a secular state.
- However, the Constitution of Spain extends state privilege to the Catholic Church following its disestablishment as the state denomination in 1978. Roman Catholicism enjoys benefits not afforded to others, such as financing through the tax system.
- The religious organisations of Jews, Muslims, and Protestants also have certain privileges through agreements with the state, including tax exemptions and permission to station chaplains in hospitals and other institutions.

Recognition law

- Structures and procedures for existential recognition
 - **Bilateral cooperation agreements:** *in addition to their concordat with the Holy See, the Spanish government has bilateral cooperation agreements with CIE, FCJE, and FERED. These agreements with the country's four predominant religions – Catholicism, Islam, Protestantism, and Judaism – are legally binding and provide the religious groups with certain tax exemptions and the ability to buy and sell property, open a house of worship, and conduct other legal business. The agreements also grant civil validity to weddings clergy perform and permit the placement of teachers in schools and chaplains in hospitals, the military, and prisons. Groups with cooperation agreements are also eligible for independently administered government grants. The agreements cover legal, educational, cultural, and economic affairs; religious observance by members of the armed forces; and the military service of clergy and members of religious orders. A group's eligibility for establishing bilateral cooperation agreements is contingent on their completed registration with the Ministry of the*

Presidency and their obtainment of *notorio arraigo* (“deeply rooted” or permanent) status. This in turn creates a vertical recognition system in which some groups remain unregistered, some are registered, and some have achieved the *notorio arraigo* status but have yet to sign agreements, and those that are registered, have *notorio arraigo* and have signed bilateral cooperation agreements with the government.

- **Catholic Church:** The government maintains a bilateral agreement with the Holy See, executed in part by the Episcopal Conference. The Episcopal Conference of Spain interacts with the government on behalf of the entire Catholic community. Per a 1979 agreement with the Holy See, individual Catholic dioceses and parishes are not required to register with the government. The Catholic Church is the only religious entity to which persons may voluntarily allocate 0.7 percent of their taxes.
- **Procedure for *notorio arraigo* status:** the Ministry of the Presidency dispenses the *notorio arraigo* status. Applicant groups must submit documentation to the Office of Religious Affairs within the Ministry of the Presidency demonstrating that the group is religious in nature. New religious communities may register directly with the Ministry of the Presidency, or religious associations may register on their behalf.
- **Membership quota:** an unspecified “relevant” number of followers.
- **Longevity quota:** a presence in the country for at least 30 years.
- **Geographic quota:** a “level of diffusion” the ministry considers demonstrates a “social presence” but is not further defined.
- **Recognition benefits:** *the government recognises marriages performed by all religious communities with notorio arraigo status. Members of religious groups without this status must be married in a civil ceremony.*
- **Registration rate:** Jehovah’s Witnesses, UBE-FEBE, the Church of Jesus Christ, and the Episcopal Orthodox Assembly of Spain and Portugal are registered religions with *notorio arraigo* status.

- **State privilege:** *non-Catholic religious groups described what they said was unequal legal treatment by the government as an ongoing concern. The Catholic Church remained the only religious entity to which persons could voluntarily allocate 0.7 percent of their taxes. According to media, one in three Spaniards chose to allocate some of their taxes to the Catholic Church in 2020, yielding 301 million euros (\$341.27 million), a 5.85 percent increase in donations compared with 2019. Other religious groups were not listed on the tax form as potential recipients of funds. Several religious groups, including Protestants, Muslims, Buddhists, and the Church of Jesus Christ, continued to express their desire to have their groups included on the tax form, while some groups described the system as discriminatory. They said they would rather receive voluntary contributions from taxpayers without preconditions than rely on funding from the FPC, which has specific conditions for use of its funds.*
- Evaluations
 - The imposition of a membership quota, a longevity quota, and a geographic quota is impermissible to RoRB standards.
 - The provision of bilateral cooperation agreements is welcomed although these provisions must be expanded in order to become more inclusive of new religious movements and minorities.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not mandate that all religious groups register it, unregistered groups cannot conduct some basic religious activities, this undermines the stipulatory nature of the registration procedures hence classifying them pseudo-mandatory.
 - **Procedure:** a religious group should register with the Ministry of the Presidency by filling out forms available on the ministry's website. Completion of the registration

procedure will find the group entered into the Registry of Religious Entities which is maintained by the Office of Religious Affairs.

- **Secondary procedure:** if the Ministry of the Presidency does not consider an application group to qualify as a religious group, it can be included in the Register of Associations maintained by the Ministry of the Interior.
 - **Registration benefits:** inclusion in the Register of Associations grants legal status but offers no other benefits. Registration itself simply lists the association and its history in the government's database.
 - **Public benefit procedure:** associations may also request to be considered by the government to consider the association to be of public benefit.
 - **Longevity quota:** must be registered for at least two years.
 - **Qualification:** a net positive fiscal balance must be maintained (likely for the minimum of two years that the association is registered).
 - **Registration benefits:** exemption from income tax and taxes on contributions.
 - **Informational requirements:** notarised documentation of the foundational and operational statutes of the religious group, its legal representatives, territorial scope, religious purposes, and address.
 - **Registration benefits:** may buy, rent, and sell property and may act as a legal entity in civil proceedings; also, eligibility to establish a bilateral cooperation agreement with the government.
 - **Legal designation:** Spanish law provides two separate legal categories for religious groups, the first is religious group which means the group is eligible for *notorio arraigo* status and the second is association which means it is not eligible for *notorio arraigo* status.
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- Evaluations
 - The imposition of a pseudo-mandatory registration policy is impermissible to RoRB standards.

- The imposition of a longevity quota and qualifications as stipulated are impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Spain as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Financial benefits:** *Catholic and Jewish clergy may include time spent on missions abroad in calculations for social security and may claim retirement pension credit for a maximum of 38.5 years of service. Protestant clergy are eligible to receive social security benefits, including health insurance and a government-provided retirement pension with a maximum credit of 15 years of service, but pension eligibility requirements for these clergy are stricter than for Catholic clergy. Muslim, Orthodox, and Jehovah's Witnesses clergy are also eligible for social security benefits under the terms of separate social security agreements each of these groups negotiated with the state.*
 - **Hieronymy:** the importation of religious materials or devotional items into Spain is permitted without restriction, both for personal and propagational use.
 - **Land use:** *local governments are obligated to consider requests for use of public land to open a place of worship. If a municipality decides to deny such a request after weighing factors such as availability and value added to the community, the city council must explain its decision to the requesting party.*
 - **Pastoral services:** *the government guarantees access to centres for asylum seekers and refugees for religious workers of groups with cooperation agreements with the state so that these groups may provide direct assistance, at their expense, to their*

followers in the centres. Religious workers from groups without a cooperation agreement with the government may enter internment centres upon request to the Ministry of the Presidency.

- The government funds religious services within the prison system for Catholic and Muslim groups, including Sunday Catholic Mass, Catholic confession, and Friday Islamic prayer. The cooperation agreements of FCJE and FEREDÉ with the government do not include provisions for publicly funded services. These groups provide religious services in prisons at their own expense. Other religious groups registered as religious entities with the Office of Religious Affairs may provide services at their own expense during visiting hours upon the request of prisoners.
- **Places of worship:** Religious groups must apply to local governments for a license to open a place of worship, along with other establishments intended for public use. Requirements for licenses vary from municipality to municipality. Documentation required is usually the same as for other business establishments seeking to open a venue for public use and includes information such as architectural plans and maximum capacity. Religious groups must also inform the Office of Religious Affairs after opening new places of worship.
- Penal code
 - **Blasphemy:** the penal code contains a provision to punish blasphemy, but prosecutions are rare in practice. In November 2020, a women's rights activist was ordered to pay a fine for offending religious feelings by coordinating a satirical religious procession on International Women's Day in 2013.
- Facilitation of religion or belief
 - **Dedicated ministry:** the Pluralism and Coexistence Foundation is a public sector foundation attached to the Ministry of the Presidency that promotes religious freedom and diversity. It provides funding to non-Catholic religious denominations that have a cooperation agreement with the government in support

of activities that promote cultural, educational, and social integration. It provides non-financial assistance to other religious groups registered with the government to increase public awareness. The foundation also promotes dialogue and rapprochement among religious groups and the integration of religion in society. It works closely with the Ministry of the Presidency's Office of Religious Affairs.

- **Lack of meetings:** several religious organizations with notorious arraigo status reported the government's Advisory Committee on Religious Freedom had not held a meeting since late 2019. Members of these organizations said the committee – composed of government officials, religious representatives, and experts on religious issues – previously met several times per year. Organizations expressed concern regarding the loss of a primary venue for interfaith cooperation and government dialogue. Officials from the Ministry of the Presidency identified the cessation of committee activity as an unintended consequence of the 2019 transfer of responsibility for religious freedom issues from the Ministry of Justice to the Ministry of the Presidency. Parliament must modify the decree to allow the Ministry of the Presidency to convene the committee.
- **Ombudsmanship:** the national ombudsperson for Spain is the Defender of the People (Spanish: *Defensor del Pueblo*) who deals in cases of maladministration and human rights violation.
- **Outreach:** on May 7 2021, the Pluralism and Coexistence Foundation and Spanish Federation of Municipalities and Provinces announced a new joint project to promote religious diversity and increase local governments' capacity to protect religious freedom. Through the project, local and provincial government officials committed to adhere to principles of coexistence, share best practices, and access expert consultants. The cities of Bilbao, Burgos, Cartagena, Castellon, Fuenlabrada, Guadalajara, Malaga, Olivenza, and Valladolid joined the initiative.

- **RoRB literacy:** *in autumn 2021, the public Madrid Autonomous University unveiled a new academic course in religious leadership and administration. Religious officials collaborated with faculty to develop the course, which focuses on the legal principles affecting the relationship between religious entities and the Spanish government. Buddhist and Catholic representatives praised the course as the product of interfaith collaboration.*
- **State funding:** *CIE, FEREDE, and FCJE stated they relied on government funds provided through the Pluralism and Coexistence Foundation to cover their administrative and infrastructure costs. The Ministry of the Presidency stated it continued to allocate funding to different groups according to the number of registered entities and the approximate number of adherents. Foundation officials reported the pandemic delayed disbursement of funds during the year. In 2020, it provided FEREDE with 462,800 euros (\$525,000), CIE with 330,000 euros (\$374,000), and FCJE with 169,405 euros (\$192,000). In addition to infrastructure and administrative funding, foundation funds also covered small publicity and research projects. Several religious groups reported financial challenges due to COVID-19, with many of their members unable to make the same levels of charitable donations as in previous years.*

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Spain for this First Edition of *Recognition of Religion or Belief*.

Overview

- State privilege is bestowed to the Catholic Church.
- Part of the recognition system is oriented on the use of bilateral cooperation agreements; agreements currently established serve Catholicism, Islam, Judaism and Protestantism; the notorious arraigo status establishes a vertical recognition system as

registration with the government does not bestow the same level of recognition as these denominations receive.

- The informational requirements of groups seem appropriate but will require continued monitoring to ensure they are not unduly extended or misapplied.
- Access to notorio arraigo status is restricted by a longevity quota, an unspecified membership quota, and other ambiguous criteria and is also contingent on registration with the Ministry of the Presidency; an alternative to notorio arraigo status is provided through inclusion into the Register of Associations.

Positive elements

- The Pluralism and Coexistence Foundation is established to promote religious freedom and diversity of belief and practice and also to facilitate interfaith dialogue which shows dynamic character.

Recommendations

- Make bilateral cooperation agreements available to all groups so that they may then comprise a positive and characteristically dynamic element of the Spanish system.
- Revoke the imposition of geographic quota, longevity quota, excessive informational requirements, membership quota, and all the other restriction tools identified.
- To become Dynamic, establish a recognition agency that works to manage the recognition system in a way that is independent of government control.

Restriction tools implemented

- Bilateral cooperation agreements are vulnerable to politicisation to their intertwinement with the Ministry of the Presidency.
- Membership quotas are in effect for notorio arraigo.
- Longevity quotas are in effect for notorio arraigo.
- State privilege is in effect.
- Stipulatory registration.

- The registration process is vulnerable to politicisation particularly due to notorio arraigo status being contingent on registration with the Presidency.
- Vertical recognition is in effect.

History of RoRB classification

- Spain was classified Receptive in the SRR in the first edition of the RoRB Index in 2021.
- However, Spain is reclassified as Restrictive in the 2022 RoRB Index.

Sri Lanka, Democratic Socialist Republic of — Restrictive

RoRB and national identity

- The Constitution of Sri Lanka makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice but sometimes infracts.
- The Constitution declares Buddhism as the state religion but no specificity is given as to which denomination although the primary form is Theravada which is therefore sometimes taken to be the state denomination.

Recognition law

- Structures and procedures for existential recognition
 - **Recognised religions:** the law recognises the four religions Buddhism, Islam, Hinduism and Christianity.
- Evaluations
 - There are no procedures for existential recognition in Sri Lanka for new religious movements and minority communities which is impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not require religious groups belonging to the four recognised religions or new religious groups to register in order to conduct what RoRB standards classify as “basic religious activities.” However, registration is required to conduct some activities which are classified as reasonably registrable under RoRB standards set out in the RFSRB (these are outlined under the below category of “registration benefits”).

- **Procedure:** the primary process involved in the registration of religious groups is incorporation which is fulfilled through an act of parliament which requires a simple majority. Although successful incorporation affords “recognition” from the state, this does not equate to the degree of recognition bestowed to the four aforementioned recognised religions.
 - **Registration benefits:** eligibility to construct new places of worship, sponsor religious worker (missionary) visas/ immigration permits, operate schools, and apply for subsidies for religious education.
 - **History of registration:** *the government adheres to a 2008 ministerial circular, introduced by the Ministry of Buddha Sasana, Religious, and Cultural Affairs (Ministry of Buddha Sasana), the cabinet ministry responsible for oversight of what the constitution describes as the country's foremost religion, Theravada Buddhism, requiring all groups, regardless of their religion, to receive permission from the ministry to register and construct new places of worship. A 2017 Supreme Court ruling upholds the registration requirements. In 2018, the Ministry of Buddha Sasana ruled that the 2008 circular on registration and construction of religious facilities only applied to Buddhist religious sites.*
- Evaluations
 - The imposition of a stipulatory registration policy in Sri Lanka is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
 - The registration benefits listed are permissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **Religious attire:** following the Easter Sunday terrorist attacks, the Sri Lankan authorities announced emergency

regulations that ban the wearing of clothing or objects that conceal the face in such a way that prevents the wearer's identification.

- Communal activity
 - **Closure of unregistered madrassahs:** *on March 13 2021, Minister for Public Security Sarath Weerasekera announced government plans to close approximately 1,000 unregistered or noncompliant madrassahs of the more than 2,000 madrassahs in the country to “control extremist activities.” Weerasekera said, “Nobody can open a school and teach whatever you want to the children.” Amnesty International in its October report said, “if enforced, the ban would amount to discrimination solely on the ground of religion” because it constituted “a blanket ban that is not based on a realistic assessment of any danger posed by madrasas.” As of year’s end, according to Muslim civil society representatives, the government had not yet taken any concrete steps to close any madrassahs.*
 - **Hierony:** the importation of religious materials or devotional items into Sri Lanka is restricted for propagational use, likely requiring the approval of the Ministry of Buddha Sasana, Religious, and Cultural Affairs before successful entry. The importation of religious goods for personal use is permitted.
 - The FedEx Cross Border global lists, “books: hardback/ paperback non-comm” and “obscene literature (material ridiculing any religious belief)” are classified as prohibited import items.
 - **Censorship of Islamic texts:** *on March 5 2021, the Ministry of Defense (MOD) announced that Islamic books imported into the country and held by authorities would only be released after being analysed and reviewed by the ministry as part of what the ministry termed was a counterterrorism measure. According to Muslim civil society members, anyone wishing to import Islamic books needed to submit a list of books with a sample copy of each to the All Ceylon Jamiyyathul Ulama (ACJU), the main body of Islamic theologians, to screen for any extremist content. The MOD*

then needed to approve the list. Muslim community members said the lengthy process was meant to discourage importation of Islamic religious books altogether.

- **Places of worship:** *according to members of Christian groups, local authorities sometimes demanded their groups stop worship activities or relocate their places of worship outside the local jurisdiction, ostensibly to maintain community peace. Local police and government officials reportedly continued to cite a government circular, revoked by the Ministry of Buddhasasana, Religious, and Cultural Affairs in 2012, requiring places of worship to obtain approval to conduct religious activities. Police also reportedly cited a 2008 circular on the construction of religious facilities when they prohibited, impeded, or closed Christian and Muslim services and places of worship. According to some legal experts, however, there was no explicit basis in national law for such a requirement. NGOs said they received reports that intelligence officials from the Presidential Security Department visited churches throughout the year, requesting information from pastors on the number of persons attending their churches and services, as well as the number of converts in the community. Muslim and Hindu leaders also shared concerns about being identified by their religion during visits by authorities.*
- *According to NCEASL, on January 19 2021, when the pastor of Bethel Missionary Church in Velanai, Jaffna inquired about the status of a construction application, which he submitted in October 2020, the council chairman told the pastor that approval would be granted on condition that he did not gather individuals for prayer services or conduct any religious worship activities on the premises. The pastor faced similar obstacles in 2019 when he sought approval to build a church on his privately owned land. Permission to build was denied in June 2019 by both the local council and the divisional secretariat, indicating that there was opposition to his activities from the Hindu majority community in the village.*
- **Proselytism:** *limitations on proselytism were outlined by the Supreme Court of Sri Lanka in 2018, with the ruling against a Catholic organisation stating that the provision of economic*

and financial support to vulnerable individuals while promulgating a faith was an infringement upon those individuals' right to freedom of religion.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Sri Lanka's penal code.
- Facilitation of religion or belief
 - **Dedicated ministry:** *starting in 2020, specific non-cabinet departments under the Ministry of Buddha Sasana are responsible for addressing the concerns of each major religious community. The Prime Minister heads this ministry. Previously, individual cabinet ministries handled religious affairs with each of the four recognised religions.*
 - **Ombudsmanship:** there is currently no ombudsman office established in Sri Lanka to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians:** since Gotabaya Rajapaksa was elected, some Christian places of worship in Northern Province have had military personnel stationed nearby, and pastors have claimed that intelligence agents appear to be monitoring certain religious services.
- **Jehovah's Witnesses:** *Jehovah's Witnesses said they continued to have difficulty obtaining approval to build houses of worship. Local government officials cited the 2008 circular and forwarded all new Kingdom Hall construction applications to the Department of Christian Religious Affairs of the Ministry of Buddhasasana, Religious, and Cultural Affairs. According to Jehovah's Witnesses, during the year the ministry again did not issue any approvals for its building applications. Older applications, such as those submitted in 2015 to build Kingdom Halls in Pugoda and Nattandiya, remained pending at year's end. Jehovah's Witnesses representatives*

said that on January 7, they met with the Director of the Department of Christian Religious Affairs and asked for her direction on how they could be recognized and registered as a Christian group in the country. By year's end, the department had not responded to requests for follow-up meetings.

- *Jehovah's Witnesses* reported that since the April 2019 Easter Sunday attacks, there has been heightened surveillance on places of worship through inquiries and requests for information. This included inquiries from local police and intelligence officers calling or visiting the headquarters of Jehovah's Witnesses, requesting information about the board of directors of the Watch Tower Bible and Tract Society of Lanka (the legal entity used by Jehovah's Witnesses in the country), lists of meeting places, and the whereabouts of specific members. According to a Jehovah's Witnesses report, the surveillance and inquiries created an atmosphere that infringed on Jehovah's Witnesses' freedom of worship
- **Minorities:** members of religious minority groups and congregations periodically face discrimination and sometimes deadly violence.
- **Muslims:** while there were no major instances of inter-religious violence in 2020, past anti-Muslim rioting has left many Muslims afraid that they may be targeted, and that any attackers may enjoy impunity. Leading up to the 2020 parliamentary elections, some Buddhist figures pledged to prohibit Buddhists from shopping at Muslims stores, ban the burqa, eliminate madrasas, and forcibly reform laws governing Muslim education and marriage. When the spread of COVID-19 became apparent, some government officials blamed the Muslim community for its spread. The government also forced Muslims to cremate relatives thought to have died from the coronavirus, even though the practice is contrary to Islamic beliefs, and the World Health Organisation (WHO) had stated that those who died from the virus could be either cremated or buried.

Overview

- Theravada Buddhism is the state denomination.

- Existential recognition is extended to belief systems Buddhism, Islam, Hinduism and Christianity yet there exists no mechanism for any other belief systems to receive the same degree of recognition which in turn creates a system of partial recognition.
- Recognition and registration are differentiated yet access to the former for all belief systems is limited while legal registration as the latter is largely ambiguous regarding criteria for its achievement.
- Although the Sri Lankan system is stipulatory, the requirement for groups to register that wish to construct places of worship or conduct missionary activity which are activities central to religion in effect makes registration borderline mandatory which in turn violates the Bielefeldt provision.
- The function of parliament to grant legal registration does politicise the process.

Positive elements

- Nil.

Recommendations

- Establish provisions for existential recognition that give equal opportunity for all belief systems to access this form of recognition; this equality may not be able to be achieved without Theravada's disestablishment as the state denomination.
- Revoke involvement of the parliament or prime minister from the registration process in order to halt politicisation.
- To become Dynamic, establish a recognition agency to manage the recognition system independent of government influence or intervention.

Restriction tools implemented

- Ambiguity exists within the legislation to varying extents.
- Part-mandatory registration is in effect.
- Partial recognition is in effect.

- Politicisation of the registration process occurs; further politicisation came in 2020 when the Prime Minister was given oversight of the Ministry of Buddha Sasana.
- Proselytism is restricted for non-Buddhist groups.
- State denomination (as a form of state religion).

History of RoRB classification

- Sri Lanka has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Sudan, Republic of the — Censorious

RoRB and national identity

- The 2019 Constitution of Sudan makes an explicit claim to freedom of religion or belief, a claim that the new government continues to infract upon in practice.
- From 1983 to 2020, Islam was the state religion, but following the resignation of President Omar al-Bashir, the Republic of the Sudan has become a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Sudan.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Sudan demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Part-mandatory registration:** although registration of a religious group is not mandated in law, unregistration comes with stigma and governmental pressure.
 - **Procedure:** religious groups are to register at the state level with the Ministry of Religious Affairs and Endowments (MRA).
 - **Secondary procedure:** the Humanitarian Aid Commission (HAC), formerly known as the Higher Council for Guidance and Endowment, oversees NGOs and nonprofit organisations. Religious groups that engage

in humanitarian or development activities must register as nonprofit NGOs by filing a standard application required by the HAC. Only NGOs registered with HAC are eligible to apply for other administrative benefits, including land ownership, tax exemptions, and work permits. The HAC works with the Ministry of Interior to facilitate the visa process for NGO representatives seeking to obtain visas.

- Evaluations
 - Part-mandatory registration is impermissible to RoRB standards.
 - It is impermissible to religious group should need to undergo a secondary procedure of registration with the HAC before being able to conduct humanitarian and development work; such activity should be covered by the main registration process to avoid onerousness.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Sudan as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** *an interministerial committee, which includes the Ministry of Foreign Affairs, the General Intelligence Service, and, in some cases, Military Intelligence, must approve foreign clergy and other foreigners seeking a residency permit.*
 - **Hieronymy:** the importation of non-Islamic religious materials or devotional items into Sudan is restricted, especially for propagational use, due to the changing political situation in the country, rules regarding importation remain unclear. It is likely that higher quantities of religious goods for

propagational use would need to be approved by the Ministry of Endowments and Religion Affairs. The importation of religious goods for personal use is permitted.

- The Customs states that the “Holy Quran” is a restricted import item and requires preapproval by the Ministry of Endowments and Religion Affairs’ High Council for the Holy Quran.
- **Land use and zoning law:** the MRA determines, along with the state-level entities responsible for land grants and planning, whether to provide authorization or permits to build new houses of worship, taking into account zoning concerns such as the distance between religious institutions and population density. The allocation of land to religious entities is determined at the state level.
 - *According to the Sudan Tribune, on July 16 2021, Khartoum State granted the Orthodox Church in Sudan approval to build a place of worship on land it owns in Omdurman after the urban planning department had denied permission because development on the land was only authorized for residential purposes.*
 - *According to the SCOC, government officials in Gezira State in December 2020 allocated vacant land for the construction of three church buildings, two for SCOC and one for an evangelical Christian church. Church representatives stated, however, that as of year’s end, they had not received deeds to the land. According to the SCOC, this was the first time authorities granted land to Christians since 2005.*
 - *Local parishioners continued to state that compared with Islamic institutions, Christian places of worship were disproportionately affected by unclear zoning laws.*
- **Religious education:** members of minority religious groups continued to express concerns regarding the education system, which lacked sufficient teachers equipped to teach courses on Christianity and textbooks that promoted religious diversity. Although the law does not require non-Muslims to attend Islamic education classes, some schools did not excuse non-Muslim students from these classes. Some private schools, including Christian schools, received government-provided

teachers to teach Islamic subjects, but non-Muslim students were not required to attend those classes. Most Christian students attended religious education classes at their churches, based on the availability of volunteer teachers from their church communities.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Sudan's penal code.
- Facilitation of religion or belief
 - **Dedicated ministry:** the MRA is responsible for regulating Islamic religious practice, supervising churches, and guaranteeing equal treatment for all religious groups. The MRA also provides recommendations to relevant ministries regarding religious issues that government ministries encounter.
 - **Independent commission:** *in 2020, the CLTG and the SPLM-N agreed to establish an independent religious freedom commission to work through religious freedom issues from the previous regime. As of year's end, the commission had not been created.*
 - **Ombudsmanship:** there is currently no ombudsman office established in Sudan to investigate cases of human rights violation in the country.
 - **Recognition/registration reform:** the new TSC pledged to issue clear guidelines for those seeking permission to build new churches, and Christians welcomed the appointment of a Coptic Christian judge to one of the TSC's civilian seats.
 - **Repeal of laws:** *also in 2019, the transitional government repealed the Public Order Act, which had been used to punish both Muslims and non-Muslims for public behaviours that were deemed indecent or immoral according to the official interpretation of Sunni Islam. Legal reforms continued in 2020,*

and in July the government adopted the Miscellaneous Amendments Act, which repealed the criminalisation of apostasy, abolished corporal punishment for blasphemy, and permitted non-Muslims to trade and consume alcohol, among other provisions. In July, the CLTG ratified the MAA, rescinding a provision of a 1991 law that criminalised and imposed the death penalty for apostasy (conversion from Islam to another faith). The MAA replaced the apostasy provision with an article criminalising takfir (the act of declaring someone a kafir or nonbeliever). Those charged with takfir face imprisonment not to exceed 10 years, a fine, or both.

Social dimensions of RoRB

- **Christians:** *Christian churches continued to report that the CLTG continued to grant churches and their affiliated humanitarian institutions tax-exempt status. The Bashir government had only granted such status to Islamic relief agencies. Leaders of religious institutions said they must formally request permission to import items such as vehicles into the country, but that these items continued to be tax-exempt. While some church officials encountered challenges requesting visas and resident permits for foreign Christian missionaries, the officials stated that the CLTG largely continued to ease restrictions.*
- **Muslims:** *according to Muslim religious leaders, the CLTG discontinued the practice of security forces monitoring imams' sermons, and sermons remained varied and sometimes critical of the CLTG.*
- **Shia Muslims:** *customary practice does not permit followers of Shia Islam to hold worship services; however, they are allowed to enter Sunni mosques to pray.*

Overview

- Although the new Sudanese government has made strides in terms of religious freedom for the last year or so, the three decade long repression suffered under the prior regime continues

to have widespread and entrenched social, cultural and political effect in the country that only time and continued efforts toward freedom will begin heal; for this reason, Sudan is still considered under the Spectrum of Religious Recognition a censorious country rather than any higher classification because it is considered to take more time to see the effects of changes to legislation in the society; various issues continue in the Sudanese recognition system.

- The Ministry of Religious Affairs and Endowment would ideally be regulated by a recognition agency independent of government or else itself merges into an independent recognition agency.
- Areas such as zoning concerns and permits for new places of worship need to be monitored to ensure they are not misused by the government to restrict religious activity.

Positive elements

- Although with significant changes still to be made, the Sudanese system continues to suffer from major internal issues.
- Reversal of the apostasy law is a positive step for Sudan to leave behind its terminal classification.

Recommendations

- Establish a recognition system that can provide both existential recognition and legal registration for all belief systems and groups regardless of their affiliation.
- Establish a recognition agency to manage the recognition system autonomously from state authorities.

Restriction tools implemented

- Normativism remains widespread in the society.
- Part-mandatory registration is in effect; mandatory regarding NGO registration while stipulatory regarding religious group registration.
- Provincial segmentation of the registration procedures restrict access to legal registration.

- Restrictions on Shiite Muslims in worshipping remain in force as a result of continued normativist sentiment.

History of RoRB classification

- Sudan has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.
- Although progress has been made in terms of Sudan's FoRB and RoRB conditions since the 2019 transition to democracy began, not enough time has been passed to gain a clear picture of whether the changes to law made are practiced in reality; in a situation in which a country takes a significant u-turn in practices like Sudan, the RoRB Index will not reclassify a country upwards in the SRR until it can be sure that the changes implemented in law are secure and consistently upheld by the government.

Suriname, Republic of — Apathetic

RoRB and national identity

- The Constitution of Suriname makes an explicit claim to freedom of religion or belief, a claim that is generally upheld in practice by the government. The claim is that “everyone has the right to freedom of religion and philosophy of life”.
- The Republic of Suriname is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Suriname.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Suriname demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups need only register with the government if they seek financial support from the government.
 - **Procedure:** religious groups that seek financial support should register with the Ministry of Home Affairs.
 - **Registration benefits:** stipends for clergy from the government.
 - **Registration rate:** most religious groups are officially registered.

- **Informational requirements:** contact information, a history of their group, and addresses for houses of worship.
- Evaluations
 - The imposition of a stipulatory registration policy in Suriname is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
 - The high registration rate points to the relative straightforwardness of the registration procedures.
 - The informational requirements requested are permissible to RoRB standards as long as they are not misused against groups the government does not favour; as the Surinamese government does not have a history of favouritism on the basis of religion or belief, nefarious intent is not identified in these informational requirements.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Suriname as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hierony:** the importation of religious materials or devotional items into Suriname is permitted without restriction, both for personal and propagational use.
 - **Religious training:** *the Religious Affairs Department of the Ministry of Home Affairs collaborated with different religious organizations to begin the process of standardising and formally recognizing religious training programs. Formal recognition would allow the ministry to set stipends for clergy under the government wage system. During the year, the process was managed by individual organizations, and there were no*

minimum requirements. The standardised training developed with support of religious groups was designed to help the government determine who is clergy and the accuracy of the stipends they received. The ministry said it guaranteed the standardisation process would not have an impact on recognition of religious organizations.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Suriname's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Suriname to investigate cases of human rights violation in the country.
 - **Outreach:** *in public statements, government officials continued to raise the importance of religious freedom, respect for religious diversity, and their commitment to protecting religious minorities. President Santokhi and other government officials noted the country's religious diversity and the importance of respect for that diversity during public speeches. In a September 2021 keynote speech in the Netherlands honouring Anton de Kom, who fought for equity and freedom in Suriname in the 1930's and 1940's, President Santokhi pointed to what he stated was the country's rich cultural and religious diversity and how mutual respect for that diversity resulted in a peaceful and harmonious society. The Ministry of Home Affairs supported the organization of the Inter-Religious Harmony Week in January by promoting and sharing video messages of different religious groups on its social media pages and through government media with the goal of creating understanding and increasing respect for different religions.*

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Suriname for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated.
- Informational requirements seem appropriate but require monitoring to ensure that are not unduly extended or misapplied.

Positive elements

- Freedom of religion or belief is broadly upheld by the government in practice.
- It is a positive sign that most religious groups are registered because this demonstrates a certain level of engagement with the system.

Recommendations

- Establish a set of provisions for existential recognition, not just legal registration, and extend this to all belief systems.
- Establish a recognition agency to manage the recognition system autonomously from state authorities.

Restriction tools implemented

- Ambiguity exists within the legislation while the government's approach to many aspects of religious activity remain undetermined.
- Stipulatory registration.
- Unstructure exists within the system that has lead to a lack of provisions.

History of RoRB classification

- Suriname has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Sweden, Kingdom of — Receptive

RoRB and national identity

- The Constitution of Sweden makes an explicit claim to freedom of religion or belief, a claim that the government broadly upholds in practice.
- The Kingdom of Sweden is a secular state.
- However, the Church of Sweden (Lutheranism) is extended state privilege by the government.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Lutheranism in Sweden.
- Evaluations
 - The lack of existential recognition in Sweden for any denomination other than Lutheranism is an ongoing issue for the Swedish recognition system.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct basic religious activities.
 - **Procedure:** religious groups should send an application to the Ministry of Culture which in turn will communicate with the Swedish Agency for Support to Faith Communities (SST) to bring about registered status.
 - **Registration benefits:** eligible to receive government funding and tax exemptions; the government provides publicly funded grants to registered religious groups

through the SST; the grants are proportional to the size of a group's membership; registered religious groups may also apply for separate grants for specific purposes, such as security expenses.

- **Fundraising law:** *the government facilitates fundraising by religious groups by offering them the option of collecting contributions through the Tax Agency in exchange for a onetime fee of 75,000 Swedish kronor (\$9,200) and an annual fee of 21 kronor (\$3) per member per year. The Church of Sweden is exempted from the annual fee because it, unlike the other religious groups participating in the program, does not receive financial support from the SST. Only religious groups registered with the SST may participate in the program. Religious groups choose what percentage of members' annual taxable income to collect, with a median collection rate of 1 percent. The Tax Agency subtracts a percentage of the member's gross income and distributes it to the religious organisation. The member's contribution is not deductible from income tax.*
 - *Nineteen religious organizations participate in the plan: Mission Covenant Church of Sweden, Swedish Alliance Mission, Roman Catholic Church, Baptist Union of Sweden, Evangelic Free Church in Sweden, The Salvation Army, United Methodist Church of Sweden, Pentecostal Movement, Syrian-Orthodox Church, Bosniak Islamic Association, Syrian Orthodox Archdiocese, Hungarian Protestant Church, Uniting Church in Sweden, Union of Islamic Cultural Centers, United Islamic Associations of Sweden, Swedish Muslim Federation, Islamic Shi'ite Association of Sweden, Islamic Fatwa Council of Sweden, and Swedish Islamic Society.*
- **Qualifications:** has a clear and stable structure and is able to function independently.
- **Geographic quota:** has several locations in the country.
- **Longevity quota:** has operated in the country for at least five years.
- **Membership quota:** serves at least 3,000 persons.

- Evaluations

- The imposition of a stipulatory registration policy in Sweden is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
- The imposition of a geographic quota, a longevity quota, and a membership quota are all impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Sweden as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Sweden is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Sweden’s penal code.
- Facilitation of religion or belief
 - **Investigative commission**: state authorities document religious hate crimes, investigate and prosecute cases, and provide adequate resources for victims. The police force includes a permanent unit trained to handle hate crimes.
 - **Ombudsmanship**: there has been a resident Parliamentary Ombudsman for Sweden since 1809 under the title *Ombudsmannen för Rikens ständer*. Subsequent specialty ombudspersons have been established such as the Ombudsman for Children in 1993.

- **Outreach:** *the SST continued to partner with government entities, including law enforcement authorities, the Civil Contingencies Agency, Defense Research Agency, Public Health Agency, National Agency for Education, Government Offices (comprising the Prime Minister's Office, government ministries, and the Office for Administrative Affairs), Crime Prevention Agency, Migration Agency, and others in supporting government inquiries, coordinating COVID-19 responses, and facilitating meetings with different faith communities, including groups not registered with the SST. The SST cooperated with 12 religious leaders to make informational videos about COVID-19 ahead of religious holidays in the spring for distribution on social media. Representatives from the SST and the government praised faith community leaders for their successful efforts to inform community members of the COVID-19 pandemic and for their solutions to carry on religious services despite the pandemic. The SST continued offering courses in family law and movements within Islam and an interfaith mentorship course for female leaders. The agency continued to fund, publish, and promote publications aimed at educating the public about religious minorities, such as the report Participation, Influence and Leadership among Women in Denominations, published in June.*
- **State funding:** *the government provides publicly funded grants to registered religious groups through the SST. The grants are proportional to the size of a group's membership. Registered religious groups may also apply for separate grants for specific purposes, such as security expenses.*

Social dimensions of RoRB

- **Hate crimes:** religiously motivated hate crimes often go unreported.
- **Jews and Muslims:** the UN Universal Periodic Review of Sweden in 2020 highlighted numerous such instances, mainly aimed at Muslims and Jews, which included physical assaults and attacks on places of worship.

Overview

- Recognition and registration look to be amalgamated rather than ideally differentiated; a focus is placed on legal registration with few to no means of existential recognition; religious groups can only gain a semblance of recognition through tax-exempt status as is customary for many Western democracies.
- It remains unclear whether there continues to exist state privilege or a degree of such for the Church of Sweden despite its disestablishment in 2000.

Positive elements

- State authorities documenting hate crimes or human rights abuses in the country shows dynamic character despite the fact that a major portion of such hate crimes remain unreported which in turn debilitates the state to take action.

Recommendations

- Revoke the geographic quota, longevity quota and membership quota as well as reverse the policy of non-recognition for all non-Lutheran denominations.
- To be classified Receptive, establish a recognition system that can set out provisions for both existential recognition and legal registration, provisions which should be extended to all belief systems and also be provided at multiple levels of activity.
- Establish a recognition agency to manage the recognition system autonomously from government interference.

Restriction tools implemented

- Longevity quotas are in effect.
- Membership quotas are in effect.
- Stipulatory registration.

History of RoRB classification

- Sweden was originally classified Apathetic in the 2021 RoRB Index.
- However, in the 2022 RoRB Index, Sweden is reclassified upwards to Receptive.

Swiss Confederation — Restrictive

RoRB and national identity

- The Constitution of Switzerland makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice but with some infractions.
- The Swiss Confederation is a secular state.
- However, 24 out of 26 Swiss cantons provide state privilege to both the Swiss Reformed Church (Calvinism) and Roman Catholicism.
- The Constitution also delegates religious affairs to the 26 cantonal jurisdictions. The provincialisation of registration and recognition procedures in this way is not to RoRB standards because it makes procedures very onerous for religious organisations operating nationwide and religious communities that exist throughout the country, not those clustered into a single canton.

Recognition law

- Structures and procedures for existential recognition
 - The cantons offer legal recognition as public entities to religious communities that fulfil a number of prerequisites and whose applications for recognition are approved in a popular referendum. The necessary prerequisites include a statement acknowledging the right of religious freedom, the democratic organisation of the religious community, respect for the cantonal and federal constitutions and rule of law, and financial transparency.
 - The cantons of Basel, Zurich, and Vaud also offer religious communities legal recognition as private entities, which provides them the right to teach their religions in public schools. Procedures for obtaining private legal recognition vary; for example, Basel requires approval of the Grand Council (the cantonal legislature).
 - **Legal designation:** public entity or private entity.

- **Rejection of deliberated draft law:** *in the canton of Neuenburg, a draft law dealing with religious communities was rejected in a public referendum after 10 years of deliberation. The law would have granted equal rights, including for official recognition, to Free Churches and to the Muslim and Jewish communities. While the majority of the cantonal government favored the draft, 56.2 percent of citizens voted against it in a referendum on September 26. Only the Catholic, Christian Catholic, and Protestant Churches are recognized as religious communities in Neuenburg, as is the case in most cantons. Similar draft laws in other cantons, such as in Bern, were not approved by cantonal parliaments.*

- Evaluations

- Putting the recognition of a religious community to public vote in a referendum is impermissible to RoRB standards.
- Existential recognition is not made accessible to all new and minority religious communities in the country which is impermissible to RoRB standards.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** there is no overall mandate for religious groups to register with the government but certain types of religious organisations are required to register with their respective commercial registries for example religious foundations must register while religious communities do not need to.
 - **Procedure:** generally, cantonal commercial registries are the government bodies that deal with registration applications for religious groups. To register, the foundation must submit an official letter of application to relevant authorities.
 - **Legal designation:** religious groups are legally designated religious foundations — namely, institutions with a religious purpose that receive financial donations and maintain connections to a religious community.

- **Informational requirements:** the organisation's name, purpose, board members, and head office location as well as a memorandum of association based on local law, a trademark certification, and a copy of the organisation's statutes.
- **Registration benefits:** tax-exempt status granted to religious groups varies from canton to canton. Most cantons automatically grant tax-exempt status to religious communities that receive cantonal financial support, while all other religious communities must generally establish they are organised as non-profit associations and submit an application for tax-exempt status to the cantonal government.
- **State funding:** *all cantons, with the exception of Geneva, Neuchatel, Ticino, and Vaud, financially support at least one of four religious communities – Roman Catholic, Christian Catholic, Reformed Evangelical, or Jewish – that the cantons have recognised as public entities with funds collected through a mandatory church tax on registered church members and, in some cantons, businesses. Only religious groups recognised as public entities are eligible to receive funds collected through the church tax, and no canton has recognised any other religious groups as public entities. The church tax is voluntary in the cantons of Ticino, Neuchatel, and Geneva, while in all other cantons an individual who chooses not to pay the church tax may have to formally leave the religious institution. The canton of Vaud is the only canton that does not collect a church tax, although the Reformed Evangelical and Roman Catholic Churches are subsidised directly through the canton's budget.*

- Evaluations

- The imposition of pseudo-mandatory registration is impermissible to RoRB standards.
- The informational requirements requested as part of registration procedures are permissible to RoRB standards as long as the information provided is not used against religious groups to restrict their activities; as the Swiss government

does not have a history of such misuse, nefarious intent is not identified as part of these informational requirements.

Law and policy on religion and belief

- Self-identification
 - **Religious attire:** it's illegal to cover your face in public places in the Swiss cantons of Ticino and St Gallen. This does not apply to the requirement to wear a face mask. Failure to comply with the ban is punishable by a fine ranging from 100 CHF to 10,000 CHF. The law doesn't provide any exemption for tourists.
 - *The canton of Geneva continued to implement a law approved in February 2019 prohibiting all cantonal government officials from wearing visible religious symbols, such as head scarves, kippahs, or crosses, in the workplace. In November 2020, the Constitutional Chamber of the Geneva Court of Justice had approved an appeal submitted by some political parties, labor unions, and feminist and Muslim associations to exempt cantonal employees and communal parliamentarians (local legislators). The ban remained in place for other cantonal officials. The new law also granted religious communities the right to apply for financial support from cantonal authorities.*
- Communal activity
 - **Foreign missionary activity:** *foreign missionaries from countries that are not members of the European Union (EU) or the European Free Trade Association (EFTA) must obtain a religious worker visa to work in the country. Visa requirements include proof that the foreigner will not displace a citizen from a job, has completed formal theological training, and will be financially supported by the host organization. Unrecognized religious groups must also demonstrate to cantonal governments that the number of their foreign religious workers is not out of proportion with the size of the community when compared with the relative number of religious workers of cantonally-recognised religious communities.*

- Pursuant to past court decisions, the government did not issue religious visas to missionaries of certain denominations, such as members of the Church of Jesus Christ, because they did not possess a theology degree. However, Church of Jesus Christ missionaries from EU and EFTA countries could enter and work without a religious visa.
 - The government continued to grant visas primarily to religious workers who would replace individuals serving in similar functions in the same religious community. The government required Turkish nationals applying for short- and long-term religious worker visas to document their association with the Turkish Directorate of Religious Affairs.
 - The law requires immigrant clerics with insufficient language skills or lacking knowledge of local culture and customs, regardless of religious affiliation, to attend mandatory courses to facilitate their integration into society. By law, foreign missionaries must also have sufficient knowledge of, respect for, and understanding of national customs and culture; be conversant in at least one of the three main national languages; and hold a degree in theology. In some instances, cantons may approve an applicant lacking this proficiency by devising an “integration agreement” that sets certain goals for the applicant to meet. The host organization must also “recognize the country’s legal norms” and pledge it will not tolerate abuse of the law by its members. If an applicant is unable to meet these requirements, the government may deny residency and work permits.
- **Hieronymy:** the importation of religious materials or devotional items into Switzerland is permitted without restriction, both for personal and propagational use.
 - **Pastoral services:** since 2020, the army has utilised military chaplains who represent the Free Churches; however, army pastoral care does not include imams or Jewish clergy. The Free Churches and their umbrella organization signed a partnership agreement with the army, and candidates had to go through both an assessment and the army chaplaincy's own course. The chaplains are not allowed to proselytize members of the

military. Army officials said they are considering adding Jewish and Muslim chaplains, and talks were ongoing at year's end.

- **Places of worship:** the constitution prohibits the construction of minarets. The prohibition does not apply to the four existing mosques with minarets established before the constitution was amended to include the ban. The law allows the construction of new mosques without minarets.
- **Proselytism:** religious groups of foreign origin are free to proselytise.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Switzerland's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Switzerland to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims:** Muslims face legal and de facto discrimination. The construction of new minarets and mosques is prohibited as the result of a 2009 referendum. In 2018, St. Gallen became the second canton to pass its own burqa ban, after Ticino in 2016. In June 2020, the National Council disapproved a proposal to ban burqas, though Swiss voters will consider a proposal to restrict their use in some circumstances in 2021.

Overview

- Recognition and registration are amalgamated to some degree although due to the prevalence segmentation in the system, neither can be said to hold national consistency; national church status is bestowed in some cantons as a form of existential

recognition yet such a status is sparingly available while legal registration which primarily manifests as financial benefits is available to only those groups which can fulfil delineated requirements.

- Delegation of the registration process to the cantonal level is restrictive (called segmentation).
- Informational requirements seem appropriate yet require monitoring for potential misuse against applicant groups.
- Application approval being contingent on popular referendum, although it may seem fair and democratic, is not consistent with freedom of religion or belief provision; the right of a person or community to conduct their religious practice and receive basic acknowledgement of their existence from the state should not be a matter of public opinion for provisions protecting it have already been attested to by the Universal Declaration.
- Inconsistencies with regards to recognition law persist particularly as three cantons allow for a form of registration not provided for by any other canton; even between these three cantons procedures for registration vary.
- Public entity status and thereby financial aid is bestowed only to four religious communities to the exclusion of many others as a form of existential recognition with financial benefit.

Positive elements

- Freedom of religion or belief is broadly, though not universally, upheld by the government in practice.

Recommendations

- Remove all forms of segmentation in the system; this should in turn resolve inconsistencies in the legislation and laws regarding recognition and registration should in turn become national rather than cantonal.
- Revoke identified restriction tools and all part-mandatory registration procedures.
- To become Receptive, establish a recognition system to bestow both existential recognition and legal registration across all belief

systems and their derivatives and across multiple levels of activity and operation.

Restriction tools implemented

- Inconsistency in the types of registration bestowed.
- Part-mandatory registration is in effect.
- Public approval restriction tool.
- Restrictions on minaret construction demonstrate the government's restrictive approach.
- Restrictions on burqas remain imposed in the cantons of St. Gallen and Ticino.
- Segmentation of registration procedures to cantons with widespread detriment to the functionality of the recognition system.
- Stipulatory registration.

History of RoRB classification

- Switzerland has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Syrian Arab Republic — Terminal

RoRB and national identity

- The Constitution of Syria makes an explicit claim to freedom of religion or belief although this claim is consistently and systematically infringed upon by the government in practice.
- The Syrian Arab Republic is a secular state.
- However, Islam and Islamic institutions continue to be granted state privilege by the government.

Recognition law

- Structures and procedures for existential recognition
 - State privilege for Islam is evident in the fact that the Constitution of Syria mandates that the President must be a Muslim.
 - **Rejection of recognition:** *according to the British-based NGO CSW, on February 14 2021, the Ministry of Justice rejected the Yezidi community's request to recognize it as a religious group, which would allow Yezidis to establish their own personal status courts. The Council for Syrian Yezidis issued a statement describing the decision as "a flagrant violation of basic human rights."*
- Evaluations
 - The imposition of a presidential religion restriction tool is impermissible to RoRB standards.
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Islam in Syria due to its state privilege in the country.

Registration law

- Structures and procedures of legal registration

- **Mandatory registration:** the government mandates that all religious groups register with it although registration procedures remain ambiguous. Malregistration is also in effect because the Syrian government does not hold jurisdiction to provide registration benefits throughout the country which is a fundamental requirement of registration.
 - **Procedure:** the law regulates the structure and functions of the Ministry of Religious Endowments (Awqaf).
 - **Registration benefits:** registered religious groups and clergy – including all government-recognised Muslim, Jewish, and Christian groups – receive free utilities and are exempt from real estate taxes on religious buildings and personal property taxes on their official vehicles; the ability to establish personal status courts.
- Evaluations
 - The imposition of a mandatory registration order onto registrant religious groups is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **National identity documentation:** *an individual's birth certificate records his or her religious affiliation. Documents presented when marrying or traveling for a religious pilgrimage also list the religious affiliation of the applicant. Jews are the only religious group whose passports and identity cards note their religion.*
- Communal activity
 - **Censorship:** *the law provides for a Jurisprudential and Scholarly Council with the power to define what religious discourse is appropriate and the authority to fine or penalize individuals who propagate extremist thought or deviate from approved discourse. The law also charges the council with*

monitoring all fatwas (religious decrees) issued in the country and with preventing the spread of views associated with the Muslim Brotherhood or “Salafist” activity, including “Wahhabism.” The law concentrates a range of offices and institutions within the ministry, centralising the government’s role in and oversight of the country’s religious affairs.

- **Publication:** the law bars publication of content that affects “national unity and national security,” harms state symbols, defames religions, or incites sectarian strife or “hate crimes.”
- **Charitable and humanitarian activities:** *the government continued to allow foreign Christian NGOs to operate under the auspices of one of the historically established churches without officially registering. It continued to require foreign Islamic NGOs to register and receive Awqaf approval to operate. Security forces continued to question these Islamic organizations on their sources of income and to monitor their expenditures. The Ministry of Social Affairs and Labor continued to prohibit religious leaders from serving as directors on the boards of Islamic charities.*
- **Hierarcy:** the importation of religious materials or devotional items into Syria for propagational use will require preapproval by the Ministry of Religious Endowments, especially due to the continuing prohibition on the conversion of Muslims. The importation of Jehovah’s Witness materials is prohibited due to the ongoing ban on the group. The importation of religious goods for personal use is permitted.
- **Personal status law:** *for the resolution of issues of personal status, the government requires citizens to list their religious affiliation. Individuals are subject to their respective religious group’s laws concerning marriage and divorce. Per the personal status code, a Muslim man may legally marry a Christian woman, but a Muslim woman may not legally marry a Christian man. If a Christian woman marries a Muslim man, she is not allowed to be buried in an Islamic cemetery unless she converts to Islam and may not inherit any property or wealth from her husband, even if she converts. The law states that if a*

Christian wishes to convert to Islam, the presiding Muslim cleric must inform the prospective convert's diocese.

- **Proselytism:** the law prohibits the conversion of Muslims to other religions as contrary to sharia.
- **Religious conversion:** the law only recognises conversion to Islam.
- **Religious gatherings:** all meetings of religious groups, except for regularly scheduled worship, require permits from the government.
- Penal code
 - **Inter-religious tension:** the penal code prohibits causing tension between religious communities.
 - **Prohibitions:** the government bans Jehovah's Witnesses as a "politically-motivated Zionist organisation."
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Syria to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Extremist groups:** the dominance of extremist groups in opposition-held areas of western Syria has threatened freedom of worship for local residents and displaced people.
- **Muslims:** the government monitors mosques and controls the appointment of Muslim religious leaders.
- **Non-Muslims:** the regime has generally allowed different confessional groups to practice their faiths as long as their religious activities are not deemed politically subversive.

- **Terrorism:** IS, which persecuted religious activity that did not conform to its version of Sunni Islam, was militarily defeated in Syria when its last population center was captured by US-backed coalition fighters in March 2019. However, the militant group reportedly remains active as a terrorist and guerrilla force, and it continues to recruit from and intimidate the roughly 65,000 IS suspects and family members being held in camps by Kurdish-led forces in eastern Syria.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated with a focus on the latter as legal registration; however, in the legislation, procedures for legal registration remain unclear or undetermined; although not explicitly stated, it is likely that the Presidency plays a central role in the authorisation or disapproval of applications for registration.
- The mandate that the president identify as Muslim politicise religion from the outset.
- The rule of mandatory registration directly violates the Bielefeldt provision.
- The widespread political instability, the ongoing civil war and the temporary takeover of ISIS in parts of the country have severely undermined the relative religious harmony that existed prior to 2011.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the apparatus of laws the government has set in place to restrict religious activity outside what the government deems as appropriate.
- Repeal all laws that impose nationwide bans on reasonable, non-violent groups whose activities do not contravene the basic tenets

of religious freedom; repeal laws restricting both conversion from Islam and proselytism to Muslims.

- Revoke the rule of mandatory registration and removal from the registration of all state definitions and interpretations of religion used for the imposition of restrictions and the removal of subjective language in the legislation which is again broadly misused to restrict rather than protect religious freedoms.

Restriction tools implemented

- Conversion from Islam is criminalised.
- Government monitoring of religious activity is commonplace as is government interference in the internal affairs of religious organisations.
- Mandatory registration.
- Nationwide ban on Jehovah's Witnesses.
- Politicisation of religion is in effect.
- Proselytism is heavily restricted and prohibited when directed towards Muslims.
- Religious publications are broadly censored.
- State definition and interpretation of religion and reasonable discourse about religion and related topics.
- Subjective language is widespread in the legislation which gives the government broad scope to designate certain religious activities as illegal even though they are reasonable, an example includes the law require permits for all religious meetings outside regularly scheduled worship which could easily be manipulated to baselessly charge reasonable religious activity.
- Weaponisation of the term "extremist."

History of RoRB classification

- Syria has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Taiwan (Republic of China) — Restrictive

RoRB and national identity

- The Constitution of Taiwan makes an explicit claim to freedom of religion or belief, a claim that is generally upheld by the Taiwanese government in practice but with some infractions.
- The Republic of China is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Taiwan.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Taiwan demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not mandate that religious groups register with it or that they obtain establishment permits which is one step of a two step process of registration used in Taiwan.
 - **First procedure:** establishment permits are obtained from the Ministry of the Interior (MOI).
 - **Financial quota:** an applicant religious organisation's real estate must amount to 25 million New Taiwan dollars (NT\$) (\$891,000) or more and possess at least NT\$5 million (\$178,000) in cash. Alternatively, the organisation may register if it possesses cash in excess of NT\$30 million (\$1.07 million).

- **Geographic quota:** real estate in at least seven administrative regions.
 - **Local establishment permit as an alternative procedure:** the organisation may also apply for an establishment permit from local authorities, who have lower requirements than the island-wide level authorities, to receive local benefits.
 - **Secondary procedure:** once the establishment permit is received, the second stage of the registration process can begin which involves a religious group registering with the courts.
 - **Informational requirements:** an organisational charter, list of assets, and other administrative documents to register.
 - **Registration benefits:** an income-tax-free basis and receive case-by-case exemptions from building taxes.
 - **Legal designation:** religious groups are legally designated as religious organisations in Taiwan. The MOI makes a distinction between religious and secular organisations based on that organisation's articles of association.
 - **Monitorial requirements:** must submit annual reports on their financial operations.
 - **Unregistration:** non-registered groups are not eligible for the tax advantages available to registered religious organisations.
 - **Registration rate:** *as of 2020, there were approximately 15,400 registered religious groups, including 1,500 religious foundations, 12,000 temples, and 1,900 religious social groups, representing more than 22 religions. Many groups choose not to register individual places of worship and instead operate them as the personal property of the group's leaders.*
- Evaluations
 - The imposition of a stipulatory registration policy in Taiwan is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.

- The imposition of annual monitorial requirements is permissible to RoRB standards as long as all religious groups undergoing these reviews are treated equally during these processes.
- The imposition of a financial quota onto registrant religious groups is impermissible to RoRB standards.
- The imposition of a geographic quota onto registrant religious groups is impermissible to RoRB standards.
- The creation of a vertical registration system is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Taiwan as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Donations and charitable works:** *the MOI stated that there is no law or policy that oversees a religious organisation's use of donations made to that organisation, whether for religious or charitable activities, or that requires a religious organisation to establish a separate charitable entity to conduct charitable activities. The law, however, prohibits charitable foundations from using donations for non-charitable purposes. Some religious organisations establish separate charitable foundations to promote their charitable activities, according to the MOI. An organisation whose primary objective is philanthropy is not eligible to register as a religious organisation.*
 - **Hieronymy:** the importation of religious materials or devotional items into Taiwan is permitted without restriction, both for personal and propagational use.
 - The FedEx Cross Border global lists, “communistic material” and “publications and other articles propagating communism” are prohibited items.

- **Places of worship:** *the 1929 Act of Supervising Temples provides that temples are under the management of a trustee monk or nun. The act states, however, “They cannot take charge as trustee monk/nun if they are not citizens of the Republic of China.” The act does not apply to temples that are administered by Taiwan authorities, local public organisations, or private persons. In 2004, the Grand Justices declared several articles of the act unconstitutional for imposing strict restrictions on how religious organisations transfer their properties.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Taiwan’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Control Yuan, one of the five branches of the Taiwanese government, functions as the ombudsperson in the country. In 2020, the National Human Rights Commission was established under the Control Yuan as the country’s national human rights institution in accordance with the standards produced by the Paris Principles.
 - **Outreach:** *in April 2021, the Ministry of Foreign Affairs, the Chinese Muslim Association, and foreign missions of Muslim countries in Taipei jointly organised an Islamic Cultural Exhibition with the goal of providing a better understanding of Islamic culture and the Islamic community in Taiwan. At the opening ceremony, Vice Minister of Foreign Affairs Tsao Li-jeý stated the authorities have worked to build a Muslim-friendly environment in Taiwan.*

Social dimensions of RoRB

- **Falun Gong practitioners:** the Falun Gong Society is registered as a sports organisation and not as a religious organisation.

Overview

- Recognition and registration are amalgamated with a focus on the latter as legal registration with few to no mechanisms put in place to achieve existential recognition; emphasis is placed on financial benefits of legal registration; also, due to the structure of the present system, a lack of provisions are put in place for the registering of religious buildings which demonstrates why most places of worship are not registered but are instead categorised as the personal property of religious leaders.
- Segmentation of the registration process between national and provincial procedures creates restriction and inconsistency in the system especially because national recognition (via an establishment permit) is not possibility for certain groups which in turn creates a situation of vertical recognition.
- The establishment permit is a restrictive policy in the process of preregistration.
- The financial quotas in place are fairly unique restrictions to Taiwan, especially the stipulation for a certain amount of real estate having to be owned by the group; additionally restrictive is that property of the group need be located in at least seven of the administrative regions.
- The misregistration of the Falun Gong Society demonstrates there exists issues within the recognition system.

Positive elements

- Freedom of religion or belief is broadly though not universally upheld by the government in practice.

Recommendations

- Dismantlement of the present segmented structure of the registration.
- Revoke laws surrounding the establishment permit in preregistration including the dissolution of financial quotas.
- Establish a revitalised recognition system that can provide both existential recognition and legal registration to all belief systems and at multiple levels of activity without creating a situation of vertical recognition.

- To classified Dynamic, set up an independent recognition agency to manage the system.

Restriction tools implemented

- Establishment permit in preregistration.
- Financial quotas are in effect.
- Issues and inconsistencies persist in the legislation particularly regarding government supervision of religious buildings and the transfer of religious property.
- Segmentation of the registration process is in effect.
- Stipulatory registration.
- Unstructure exists which has lead to a lack of provisions for existential recognition.
- Vertical recognition is in effect.

History of RoRB classification

- Taiwan has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Tajikistan, Republic of — Terminal

RoRB and national identity

- The Constitution of Tajikistan makes an explicit claim to freedom of religion or belief although this claim is systematically infringed upon by the government in practice.
- The Republic of Tajikistan is a secular state.
- However, state privilege is extended to Islam and Islamic organisations with these benefits not extended to religious group of non-Islamic confessions.
- There are myriad of caveats placed onto religious freedom by the government including: to ensure the rights and freedoms of others, public order, protection of the foundations of constitutional order, security of the state, defense of the country, public morals, public health, and the territorial integrity of the country.
- The Freedom of Conscience Law recognises the special status of Sunni Islam's Hanafi school of jurisprudence with respect to the country's culture and spiritual life. This status is aspirational, however, and does not have any specific legal bearing.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Tajikistan.
 - A small degree of state privilege is extended to Islam and Islamic institutions in the country.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Tajikistan demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all religious groups, whether classified as organisations or simply as communities, follow the procedures to register with it.
 - **Procedure:** the Committee on Religion, Regulation of Traditions, Celebrations, and Ceremonies (CRA) is the government body primarily responsible for overseeing and implementing all provisions of the law pertaining to religion, including overseeing registration applications. The application process is based on a definition of a religious association²⁶. A group of at least 10 citizens must receive certification from the local authorities and then must submit an application to the CRA with all relevant information and documentation enclosed.
 - **Role of the CRA:** The Law broadly empowers the CRA to create regulations to implement state policies on religion, such as establishing specific guidelines for the performance of religious ceremonies. In addition to approving the registration of religious associations, organisations, and communities, the CRA maintains a broad mandate that includes approving the construction of houses of worship, participation of children in religious education, and the dissemination of religious literature. The CRA oversees activities of religious associations, such as the performance of religious rites, and the development and adoption of legal acts aimed at the implementation of a state policy on the freedom of conscience and religious associations.
 - **Informational requirements:** proof of the citizenship of its founders, along with their home addresses and dates of birth. The group must provide an account of its beliefs and religious practices and describe its attitudes related to

²⁶ the law defines a religious association as any group composed of persons who join for religious purposes. A religious association is a voluntary association of followers of one faith, with the purpose of holding joint worship and celebration of religious ceremonies, religious education, as well as spreading religious beliefs.

education, family, and marriage. A religious association must provide information on its houses of worship, which includes religious centres, central prayer houses, and religious educational institutions. The group must specify in its charter the activities it plans to undertake, and once registered as a religious association, must report annually on its activities or face deregistration.

- **Membership quota:** at least 10 citizens older than the age of 18.
- **Longevity quota:** these 10 citizens must prove they have lived in the local area for five years.
- **Registration benefits:** only registered religious associations and organisations are entitled to establish enterprises that produce literature and material with religious content.
- **Legal designation:** groups formed for the purpose of “conducting joint religious worship” are divided into two categories. The first is labelled with the legal designation of religious organisation while the second, labelled a religious community, does not hold legal entity status. Although religious communities are not legal entities, they still must register with the government.
 - **Religious organisations:** a religious organisation is purposed with providing religious education and propagation of the religious tenets. *Types of religious organisations include the Republican Religious Center, central Friday mosques, central prayer houses, religious education entities, churches, and synagogues. Religious organisations are legal entities and function on the basis of charters. They may be district, municipal, or national organisations.*
 - **Religious communities:** *a religious community, unlike a religious organisation, is not a legal entity. Its members gather to conduct other religious activities, which are not defined by law. For example, individuals gather for joint prayer, attend funeral prayers, and celebrate religious holidays. Types of religious communities include Friday mosques, five-time prayer mosques, prayer houses, and other places of worship. A religious community functions on the basis of a charter after registering with the CRA, and*

the nature and scope of its activities are determined by the charter. A religious community must adhere to the “essence and limits of activity” set out in its charter.

- **Monitorial requirements:** in addition, religious organisations annually must report general information about worship, organisational, educational, and outreach activities to the state, and the state must approve the appointments of all imams. Religious associations must submit information on sources of income, property lists, expenditures, numbers of employees, wages and taxes paid, and other information upon request by the CRA.
- Evaluations
 - The imposition of a mandatory registration order is impermissible to RoRB standards.
 - Registration procedures are onerous which is impermissible to RoRB standards.
 - The monitorial requirements are excessive and if they are conducted ad hoc or more frequently than annually then this is impermissible to RoRB standards.
 - The membership quotas and longevity quotas that are imposed are impermissible to RoRB standards.
 - The informational requirements requested as part of registration procedures are identified as possessing nefarious intent to be used against registered religious groups to restrict their activities.

Law and policy on religion and belief

- The Center for Islamic Studies, under the Executive Office of the President, also helps formulate the government’s policy toward religion.
- Self-identification
 - **Child religiosity:** the Law on Parental Responsibility for Education and Upbringing of Children prohibits individuals younger than the age of 18 from participating in “public religious activities,” including attending worship services at

public places of worship. Individuals younger than 18 may attend religious funerals and practice religion at home, under parental guidance. The statute allows individuals younger than 18 to participate in religious activities that are part of specific educational programs in authorized religious institutions.

- Communal activity
 - **Censorship of Islam:** *NGOs reported continued government restrictions on imam-khatibs and imams, such as the central government selection and approval of sermon topics and the prohibition of some imam-khatibs from performing certain ceremonies.*
 - **Hierarcy:** the importation of religious materials or devotional items into Tajikistan is restricted, both for personal and propagational use, and requires permission from the CRA.
 - **Organisation of Islamic appointments:** mosques function according to their charters in buildings constructed by government-approved religious organisations or by individual citizens, or with the assistance of the general population. The Law states the selection of chief-khatibs (government-sanctioned prayer leaders at a central Friday mosque), imam-khatibs (government-sanctioned prayer leaders in a Friday mosque, who deliver a sermon at Friday noon prayers), and imams (government-sanctioned prayer leaders in five time mosques) shall take place in coordination with “the appropriate state body in charge of religious affairs.” The CRA must approve imam-khatibs and imams elected by the founders of each mosque. Local authorities decide on land allocation for the construction of mosques in coordination with “the appropriate state body in charge of religious affairs.” The CRA disseminates recommended talking points for Friday sermons drafted by the Islamic Center. Individual imam-khatibs can modify or supplement the talking points, and, according to the CRA, there is no penalty for noncompliance.

- **Places of worship:** the Freedom of Conscience Law restricts Islamic prayer to four locations: mosques, cemeteries, homes, and shrines.
- **Zoning laws:** it regulates the registration, size, and location of mosques, limiting the number of mosques that may be registered within a given population area. The government allows “Friday mosques,” which conduct larger Friday prayers as well as prayers five times per day, to be located in districts with populations of 10,000 to 20,000 persons; it allows “five-time mosques,” which conduct only daily prayers five times per day, in areas with populations of 100 to 1,000. In Dushanbe, authorities allow Friday mosques in areas with 30,000 to 50,000 persons, and five-time mosques in areas with populations of 1,000 to 5,000. The Law allows one “central Friday mosque” per district or city and makes other mosques subordinate to it.
- **Mosque closures:** *during the July 22 press conference, Davlatzoda said that according to information available to CRA, no mosques had been shut down in the country between January and July. He further stated that mosques could be closed either pursuant to a court decision or a religious association’s decision that operation of a particular mosque was no longer necessary. The last report of mosque closures came in February 2019, when media reported that 67 mosques had been closed in Bobojon Ghafurov District, and that 12 had been closed in Istaravshan District in 2018. In those cases, the government cited poor sanitation and a lack of registration as reasons for the closures.*
- **Political activity of religious groups:** the Law on Freedom of Conscience (the Law) stipulates that no party, public or religious association, movement, or group may be recognised as representing state ideology.
- **Private worship:** the Law on Regulation of Traditions and Celebrations regulates private celebrations, including weddings, funeral services, and observations of the Prophet Muhammad’s birthday, including limiting the number of

guests, and it controls ceremonial gift presentations and other rituals.

- **Public worship:** the statute also states that mass worship, religious traditions, and ceremonies must be carried out according to the procedures for holding meetings, rallies, demonstrations, and peaceful processions. This statute also bans the traditional sacrifice of animals at ceremonies marking the seventh and 40th day after a death. Traditional sacrifices are permissible during Ramadan and Eid al-Adha.
- **Religious attire:** according to the Law on Regulation of Traditions and Celebrations, “Individuals and legal entities are obliged to protect the values of the national culture, including the state language and national dress.” According to customary (not official) interpretation, “national dress” does not include the hijab, although it does include a traditional Tajik form of covering a woman’s head, known as ruymol. The Code of Administrative violations (the Code) does not list the wearing of a beard, hijab, or other religious clothing as violations.
- **Religious education:** the Law also asserts that the state maintains control over religious education to prevent illegal training, propaganda, and the dissemination of extremist ideas, religious hatred, and hostility.
 - *The government continued to mandate that anyone wishing to study religion abroad should receive government approval and should study at a government-approved religious institution.*
 - *On July 22 2021, CRA chairman Davlatzoda said during a press conference that 3,916 citizens who had been illegally studying at religious educational institutions abroad had returned home to date, and 65 of them were pursuing their education in Tajikistan. He said 83 individuals were continuing illegal studies in religious educational institutions abroad and that “outreach and explanatory efforts” were underway to repatriate them.*

- **Religious instruction:** according to news site Khabarho, during a July 21 2021 press conference, the public prosecutor of the Sughd Region, Furqat Khojazoda, expressed concerns about an increase in the number of cases of illegal religious education for youth in that region. He said that in the previous six months, law enforcement had uncovered 36 cases of illegal religious education there. All the offenders – teachers and parents of young people – were held accountable [likely fined], he said. During a press conference to sum up developments during the year, Internal Affairs Minister Rahimzoda said that one of the main reasons for persons joining terrorist extremist groups was illegal religious education received in religious institutions abroad. He expressed concern that there were still individuals receiving illegal religious education within the country as well. He noted that during the year, the government uncovered 80 domestic cases of illegal religious education and took legal action [levied fines] against the teachers and parents involved.
- **Religious literature:** the Law allows registered religious organisations to produce, export, import, and distribute religious literature and materials containing religious content after receiving CRA approval. Such literature and material must indicate the full name of the religious organisation producing it.
 - On February 10 2021, CRA Chair Sulaymon Davlatzoda said during a press conference that the CRA continued to carefully monitor all literature of a religious nature to prevent the proliferation of extremist views. According to Davlatzoda, any materials that contained public calls for abolition of the constitutional order or that supported terrorist activities would be deemed extremist. Davlatzoda further said the CRA was responsible for tracking and preventing the distribution of publications produced by groups banned by the Supreme Court, including Jabhat al-Nusra, Hizb ut-Tahrir, ISIS, and Jamaat Ansarullah.
- Penal code
 - Fining system:

- **First-time offenses:** the government fines individuals 406 to 580 somoni (\$36-\$51), heads of religious associations 1,160 to 1,740 somoni (\$100-\$150), and registered religious associations, as legal entities, 5,800 to 11,600 somoni (\$510-\$1,000).
- **Repeat offenses:** for repeat offenses within one year of applying first fines, penalties are increased to 696 to 1,160 somoni (\$61-\$100) for individuals, 2,320 to 2,900 somoni (\$200-\$260) for heads of religious associations, and 17,400 to 23,200 somoni (\$1,500-\$2,000) for registered religious associations.
- **Acting contrary to the charter:** *the law provides penalties for religious associations that engage in activities contrary to the purposes and objectives set out in their charters, and it assigns the CRA responsibility for issuing fines for such activities.*
- **Acting beyond stated purposes:** the law imposes fines for performing activities beyond the purposes and objectives defined by the charter of the religious association.
- **Extremism:** the law defines extremism as the activities of individuals and organisations aimed at destabilisation, subverting the constitutional order, or seizing power. This definition includes inciting religious hatred. The law prohibits individuals from joining or participating in what it considers to be extremist organisations.
 - The government maintains a list of “extremist organisations” that it alleges employ terrorist tactics in an effort to advance Islamic political goals, including the National Alliance of Tajikistan, Hizb ut-Tahrir, alQaida, Muslim Brotherhood, Taliban, Jamaat Tabligh, Islamic Group (Islamic Community of Pakistan), East Turkestan Islamic Movement (ETIM), Islamic Party of Turkestan (former Islamic Movement of Uzbekistan), Lashkar-e-Tayba, Tojikistoni Ozod, Sozmoni Tablighot, Salafi groups, Jamaat Ansarullah, and the Islamic Renaissance Party of Tajikistan (IRPT).
 - *According to NGOs, authorities continued to arrest and detain individuals suspected of membership in, or of supporting,*

banned extremist organizations. There were 339 such arrests during the year, according to Minister of Internal Affairs Ramazon Rahimzoda. At a press conference on August 4, he said that in the first half of the year, law enforcement authorities detained more than 140 persons on suspicion of participation in banned movements, organizations, and groups the government deemed to be terrorist and extremist. Of those detained, 45 were reportedly proponents of Salafism; 33 were members of banned opposition organizations, including IRPT, "Group 24," and the National Alliance of Tajikistan; three were Muslim Brotherhood members; two were members of Jamaat Ansarullah; 26 were ISIS members; three were al-Qaeda members; eight were members of Jamaat Tabligh; six were members of Hizb-ut-Tahrir; and 18 were members of the Islamic Party of Turkestan.

- **Organisation and conduct:** the law imposes fines for violating provisions on organising and conducting religious activities.
- **Registered group conducting unregistered activities:** if a religious association conducts activities without registering, local authorities may impose additional fines or close a place of worship.
- **Religious education:** the law imposes fines for providing religious education without permission.
- **Religious practice:** the law imposes fines for performing prayers, religious rites, and ceremonies in undesignated places.
- **Unauthorised religious literature:** the Code allows government authorities to levy fines for the production, export, import, sale, or distribution of religious literature without CRA permission. According to the Code, violators are subject to confiscation of the given literature, as well as fines of 1,740 to 4,060 somoni (\$150-\$360) for individuals; 2,900 to 8,700 somoni (\$260-\$770) for government officials; and 5,800 to 17,400 somoni (\$510-\$1,500) for legal entities, a

category that includes all organisations. According to the Code, producing literature or material containing religious content without identifying the name of the religious organisation producing it entails fines of 2,900 to 5,800 somoni (\$260-\$510) and confiscation of the material.

- **Unregistration or failing to reregister:** the law imposes fines for carrying out religious activities without state registration or reregistration.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Office of the Human Rights Ombudsman was established in 2009 and receives support from the OSCE. The current officeholder is Zarif Alizoda who was appointed by President Emomalii Rahmon and approved by Parliament in 2009.

Social dimensions of RoRB

- **Jehovah's Witnesses:** *Jehovah's Witnesses continued to seek registration, an effort at which they had been unsuccessful since 2007, and some adherents stated they were harassed by authorities.*
- **Jews:** *the CRA stated that during the year, it received one application for registration from a non-Islamic religious association, the synagogue in Dushanbe, which was approved. Authorities later deregistered the synagogue at the request of the Jewish community due to the small number of congregants, according to the CRA.*
- **Muslims:** laws to discourage religious clothing (like the hijab) as well as an unofficial ban on beards for men are arbitrarily enforced. A government-published "guidebook" details recommended dress for women that excludes the hijab and similar garments in favour of "traditional" or "national" alternatives. The government has pressured students to adhere to these dress codes, establishing roadblocks in some areas to search for those who violate them.

- **Prohibited groups:** authorities continue to prosecute individuals for alleged membership in banned religious organisations, including Christian and Muslim groups.
- **Women and children:** minors are generally barred from attending religious services in mosques, as are women in most cases.

Overview

- Recognition and registration are differentiated to some degree although not entirely and parts of their distinction remain unclear; a focus, however, is primarily placed on legal registration with only a few limited means of existential recognition.
- There is a distinction made between religious organisation as legal entities and a religious community as a body of persons based on their shared belief identity; although this distinction is welcomed, the context in which it resides is terminally restrictive because both categories are subject to the delineations made in their charters; the law stipulates penalties for whenever a group's activities go beyond its charter.
- A further category of religious association is established as a means of existential recognition but with persistent issues and restrictions imposed.
- Censorship of religious activity and related materials and publications is widespread.
- Restrictions are imposed on private religious or celebratory activity.
- The constriction of religion and belief is widespread and deeply entrenched in the society.
- The prohibition on individuals younger than eighteen participating in religious activity is a violation of the UNCRC.
- The rule of mandatory registration, particularly as it is imposed on all instances of religious activity, is terminally restrictive and violates the Bielefeldt provision.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present status quo of laws terminally restricting the religious lives of Tajiks.
- Repeal the mandatory registration law along with similar policies that allow for undue government involvement in the affairs of religious groups.
- Halt the state's vilification of religious groups it does not agree with on matters of belief.
- Make a clearer distinction between recognition and registration.

Restriction tools implemented

- Confinement restriction tool is imposed.
- Government intervention in the internal affairs of religious groups is widespread.
- Longevity quotas of members living in a certain area are imposed.
- Mandatory registration for all religious groups and all individual instances of religious activity.
- Politicisation of the registration and recognition procedures is widespread and deeply entrenched.
- Religion and belief in Tajikistan is under the totalitarian control of the President.
- Reregistration tool.
- Retributions for acting outside the charter are incremental fines.
- State appointment of religious leaders.
- State definition and interpretation of religion and Islam is in effect.
- Subjective language is used throughout the legislation to provide the government with a broad scope to terminally restrict religious activity.
- Unregistration will lead to fines and closure by state authorities.
- Vertical recognition is in effect.
- Weaponisation of the term "extremist".
- Zoning laws are misused to restrict religious activity and mosque construction.

History of RoRB classification

- Tajikistan has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Tanzania, United Republic of — Censorious

RoRB and national identity

- The Constitution of Tanzania makes an explicit claim to freedom of religion or belief, a claim that is generally upheld in practice by the government but with some infractions.
- The United Republic of Tanzania is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Tanzania.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Tanzania demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** registration is required by law on both the mainland and in Zanzibar for religious groups to conduct one or more basic religious activities legally.
 - **Procedure:** religious groups must register with the Registrar of Societies at the Ministry of Home Affairs on the mainland and with the Office of the Registrar General on Zanzibar.
 - **2021 amendments to a system of temporary registration:** *on August 10 2021, the Office of the Registrar of Societies issued a new directive changing the status of all religious institutions and community faith-*

based organizations registered under the Ministry of Home Affairs to time-based registration from permanent registration. The government subsequently agreed to exclude churches, mosques, and other places of worship from the directive, but not faith-based organizations such as church-affiliated groups. By year's end, there had been no reports of religious associations or faith-based organizations being deregistered under this directive. The directive also stated that time-based registration would be valid for five years, requiring all societies and organizations to reregister with the registrar every five years with supporting documentation. All previously registered societies, including faith-based organizations, were required to undergo a new registration to receive a five-year registration certificate. All associations and organizations were granted a grace period of 90 days to implement and adopt the changes as required by the registrar, who said failure to reregister would result in deregistration. On August 16, Societies Registrar Emmanuel Kihampa stated that reregistration would enable the government to evaluate active societies and their compliance with registration conditions and legal requirements according to the law. According to religious and civil society organizations, the reregistration process would affect long-term planning and projects, as well as intimidate organizations deemed to be too critical of the government or ruling party. Independent Tanzanian political analyst Buberwa Kaiza said the change violated human rights, especially for religious organizations, by leaving the existence of faith-based entities to be determined by a single registrar. Tanzania Episcopal Conference (TEC) secretary-general Charles Kitima, representing the Catholic Church, stated that while the government was obligated to provide guidelines on registering organizations, it should have been a participatory process with stakeholders and religious leaders to discuss the directive's potential impact.

- **Procedures specific to Islamic groups:** Islamic groups registering on the mainland must provide a letter of approval from the National Muslim Council of Tanzania (BAKWATA). Muslim groups registering in Zanzibar must

provide a letter of approval from the mufti, the government's official liaison to the Muslim community. On the mainland, BAKWATA elects the mufti. On Zanzibar, the President of Zanzibar appoints the mufti, who serves as a leader of the Muslim community and as a public servant assisting with local governmental affairs. The Mufti of Zanzibar nominally approves all Islamic activities and supervises all mosques on Zanzibar. The Mufti also approves religious lectures by visiting Islamic clergy and supervises the importation of Islamic literature from outside Zanzibar.

- **Procedures specific to Christian groups:** Christian groups in Zanzibar may register directly with the registrar general.
 - **Membership quota:** at least 10 members.
 - **Informational requirements:** the names of at least 10 members, a written constitution, resumes of its leaders, and a letter of recommendation from the district commissioner. Such groups may then list individual congregations, which do not need separate registration.
- Evaluations
 - The imposition of a mandatory registration order is impermissible to RoRB standards.
 - The imposition of a membership quota onto registrant religious groups is impermissible to RoRB standards.
 - Requesting the names of members, the resumes of group leaders and a letter of recommendation from the district commissioner are impermissible informational requirements.
 - Establishing different procedures for Islamic and Christian groups is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - **National identity documentation:** *the government does not designate religious affiliation on passports or records of vital statistics. Police reports must state religious affiliation if an*

individual will be required to provide sworn testimony. Applications for medical care must specify religious affiliation so that any specific religious customs may be observed. The law requires the government to record the religious affiliation of every prisoner and to provide facilities for worship for prisoners.

- Communal activity
 - **Hierony:** the legality of an unregistered religious group importing religious materials or devotional items into Tanzania remains unclear due to the existing mandatory registration order. The importation of religious goods for personal use is permitted.
 - **Politicisation of religious activity:** *on July 25, police in Mbeya Region instructed Catholic Church staff and security guards at Mwanjelwa Parish to deny access to the church building to women dressed in Chadema opposition party colours. Police stated that the Church did not allow political-themed apparel. This followed the July 21 arrest of Chadema chairman Freeman Mbowe on terrorism charges. After the incident was recorded and posted online, TEC Secretary-General Kitima clarified that the Church does not have a dress code for worshippers, just for Church leaders. On August 15, 22 Chadema members were arrested outside of Bugando Catholic Church in Mwanza Region, where members went to pray for the release of Mbowe. Acting Regional Police Commander Gideon Msuya confirmed the arrests, stating that Chadema members were disturbing prayer services, which government officials were attending.*
- Penal code
 - **Unregistration:** the fines for offenses under the Societies Act, including operating without registration, range from one million to ten million shillings (\$430 to \$4,300).
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Tanzania to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims:** political tensions between mainland Tanzania and Zanzibar often play out along religious lines. The government occasionally raises the spectre of inter-religious conflict as an excuse to detain political rivals, contributing to a general sense that Muslims are sometimes treated unfairly by authorities.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on the latter as legal registration while the former, existential recognition, is given few to no means of attainment.
- Informational requirements are appropriate though require continued monitoring ensure that undue expansion does not take place; politicisation and restriction occurs in the requirement that a district commissioner provided a letter of recommendation.
- The fact that individual congregations need not gain separate registration from the broader religious body is helpful to reducing the restrictiveness of the registration process.
- There is a degree of imbalance regarding what Muslim groups and Christian groups need to provide in the process of registration.
- The rule of mandatory registration on both the mainland and on Zanzibar violates the Bielefeldt provision with the two layers of registration procedure even further restrictive.
- Ongoing political tensions between Tanzania and Zanzibar using religion as a means of stoke sectarianism undermines efforts to maintain religious liberty.

Positive elements

- Nil.

Recommendations

- Repeal laws demanding mandatory registration and revoke policies allowing the government to intervene in the internal affairs of religious organisations.
- Revoke membership quotas and retributions for unregistration.
- Establish a revitalised recognition that can provide both existential recognition and legal registration to all belief systems equally.

Restriction tools implemented

- Censorship of Islamic literature takes place.
- Government intervention in the internal affairs of religious organisations is in effect to some degree.
- Mandatory registration.
- Membership quotas are in effect (albeit low and easily overcome).
- Politicisation of religion and belief is widespread.
- State election of religious leaders is in effect.
- Unregistration will lead to fines.

History of RoRB classification

- Tanzania was classified Restrictive in the SRR in the first edition of the RoRB Index in 2021.
- However, Tanzania is reclassified Censorious in the 2022 RoRB Index.

Thailand, Kingdom of — Censorious

RoRB and national identity

- The Thai Constitution makes an explicit claim to freedom of religion or belief, a claim that is not upheld in practice by the government.
- The Kingdom of Thailand is a secular state.
- The Thai Constitution extends state privilege to Theravada Buddhism, but does not establish Buddhism as the state religion.
- The Constitution also requires the King to be Buddhist and declares he is the “upholder of religions. The king is considered the protector of Buddhism in Thailand, which carries spoken and unspoken authority.

Recognition law

- Structures and procedures for existential recognition
 - **Recognised groups:** the Thai government recognises five religious groups: Buddhists, Muslims, Hindus, Sikhs and Christians.
- Evaluations
 - The existential recognition granted to belief communities is welcomed although this provision needs to be expanded to new, alternative and minority communities and belief systems.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** although the government does not mandate that religious groups must register with it, only groups affiliating with one of the five recognised religious may register for state benefits. Despite this, religious groups are known to be able to operate without government

interference whether they are part of one of the recognised religions, registered or unregistered or unrecognised.

- **Procedure:** the Religious Affairs Department (RAD) within the Ministry of Culture deals with religious registration in Thailand of all non-Buddhist groups, recognised or unrecognised. The registration of Buddhist groups is handled by the National Buddhism Bureau (NBB), an independent state agency under direct supervision of the Prime Minister.
- **Qualifications of unrecognised religions:** if a group not belonging to one of the five recognised religions wishes to register, the national census must indicate the group has at least 5,000 adherents (**census quota as a type of membership quota**), it must possess a uniquely recognisable theology, it must not be politically active, and it must obtain formal approval in a RAD-organised meeting of representatives from the concerned ministries and the five recognised umbrella religious groups.
 - **Denial of registration:** in practice, however, the government as a matter of policy will not recognize any new religious groups outside the five umbrella groups.
- **Buddhist groups:** the Sangha Supreme Council serves as Thai Buddhism's governing clerical body. The King has unilateral authority to appoint or remove members from the Sangha Supreme Council irrespective of the monk's rank and without consent or consultation with the Supreme Patriarch, whom the King also has legal authority to appoint.
- **Informational requirements:** a religious group's leader must submit the objectives and proceedings of their group, any relationship to a foreign country, a list of executive members and senior officials, and locations of administrative, religious, and teaching sites.
- **Registration benefits:** state subsidies, exemption from property and income taxes, and preferential allocation of resident visas for the registered organisation's foreign officials.
- **Protection of recognised religions:** a special order issued by the former military government in 2016 and still in effect guarantees the state's promotion and protection of

“all recognised religions” in the country, but mandates that all state agencies monitor the “right teaching” of all religions to ensure they are not “distorted to upset social harmony”.

- **Registration rate:** *the government did not recognise any new religious groups and has not done so since 1984. Despite the lack of formal legal recognition or registration, civil society organizations continued to report that unregistered religious groups operated freely and that the government’s practice of not recognizing or registering new religious groups did not restrict their activities. Falun Gong members continued to report that security authorities continued to closely monitor and sometimes intimidate practitioners distributing Falun Gong materials. Although registration provided some benefits, such as visas with longer validity, religious groups reported that being unregistered was not a significant barrier to foreign missionary activity, and many unregistered missionaries worked in the country without government interference.*

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Thailand as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Censorship of Buddhism:** *the Sangha Supreme Council serves as Thai Buddhism’s governing clerical body. The King has unilateral authority to appoint or remove members from the Sangha Supreme Council irrespective of the monk’s rank and without consent or consultation with the Supreme Patriarch, whom the King also has legal authority to appoint.*
 - **Domestic missionary activity:** *Buddhist monks worked as missionaries, particularly in border areas among the country’s tribal populations, and received some public funding. According*

to the NBB, 5,243 Buddhist missionaries worked nationwide. Buddhist missionaries were required to pass training and educational programs at Maha Makut Buddhist University or Maha Chulalongkorn Rajavidyalaya University before receiving appointments as missionaries by the Sangha Supreme Council. Per government regulations, no foreign monks were permitted to serve as Buddhist missionaries within the country.

- **Foreign missionary activity:** the RAD sets a quota for the number of foreign missionaries permitted to register and operate in the country: 1,357 Christian, six Muslim, 20 Hindu, and 41 Sikh. Registration confers some benefits, such as longer visa validity. Representatives of the five officially recognized religious groups may apply for one-year visas that are renewable. Foreign missionaries from other religious groups must renew their visas every 90 days.
 - As of September 30 2021, there were 11 registered foreign missionary groups with visas operating in the country: six Christian, one Muslim, two Hindu, and two Sikh groups, unchanged from the previous year. The government reported that there were 1,357 registered foreign Christian missionaries. Muslims, Sikhs, and Hindus had smaller numbers of foreign missionaries in the country. Some foreigners entered the country using tourist visas and conducted missionary work, or activities in support of missionaries, and some proselytised without the RAD's authorization. Non-Buddhist missionaries did not receive public funds or state subsidies.
 - The Church of Jesus Christ of Latter-day Saints, which is not an officially recognized religious group, continued to fill its special quota of 200 foreign missionaries, granted by the Ministry of Foreign Affairs and National Security Council.
- **Hierarcy:** the importation of religious materials or devotional items into Thailand is permitted without restriction, both for personal and propagational use.
 - The FedEx Cross Border global lists, "grave image (religious idols)" is stated as a prohibited item.

- **Political activity:** *the constitution prohibits Buddhist priests, novices, monks, and other clergy from voting in an election, running for seats in the House of Representatives or Senate, or taking public positions on political matters. According to the NBB, as of August, there were 239,023 clergy who were thus ineligible to vote or run for office. Christian clergy are prohibited from voting in elections if they are in formal religious dress. Except for the Chularatchamontri (Grand Mufti), imams are not regarded as priests or clergy and are thus allowed to vote in elections and assume political positions.*
- **Public position requirements:** *the constitution prohibits Buddhist priests, novices, monks, and other clergy from voting in an election, serving in the House of Representatives or Senate, or taking public positions on political matters. According to the NBB, as of November there were 239,023 clergy who were thus ineligible to vote or run for office. Christian clergy are allowed to vote in elections as long as they are not wearing formal religious attire. Except for the Chularatchamontri (Grand Mufti), imams are not regarded as priests or clergy and are thus allowed to vote in elections and assume political positions.*
- Penal code
 - **Criticism of Buddhism:** defaming or insulting Buddhism and Buddhist clergy is specifically prohibited by law. Violators may face up to one year's imprisonment, fines of up to 20,000 baht (\$670), or both.
 - **Disturbance or insult:** the penal code prohibits the insult or disturbance of religious places or services of all officially recognised religious groups. Penalties range from imprisonment for one to seven years, a fine of 20,000 to 140,000 baht (\$670- \$4,700), or both.
- Facilitation of religion or belief
 - **Ombudsmanship:** the title of the ombudsperson in Thailand was shortened to simply Ombudsmen in 2007 and the first

officeholder was appointed in 2000 and subsequent ombudspersons have been appointed by the King of Thailand.

Social dimensions of RoRB

- **Inter-religious conflict:** a long-running civil conflict in the south, which pits ethnic Malay Muslims against ethnic Thai Buddhists, continues to undermine citizens' ability to practice their religions.

Overview

- Recognition and registration are differentiated although existential recognition only provided to five religious communities; this existential recognition is not extended to their associated belief systems or to denominations; this in turn creates a situation of partial recognition whereby any other religious group that achieve registration does not receive the same degree of recognition as these five communities mentioned in the constitution.
- Also, a degree of state privilege is provided to Buddhism.
- The registration process is limited to groups that affiliate with one of the five recognised communities; all other communities are classified as NRMs and have different requirements than those groups affiliated with one of the five recognised communities with some of the informational requirements being intrusive; denial of registration to NRMs is so high so that it is now considered that any group outside the five recognised communities may not gain registration.

Positive elements

- Nil.

Recommendations

- Dismantlement of the apparatus of laws and restrictive policies that have been put in place to restrict religious activity.

- Establish a revitalised recognition system that crucially provides existential recognition and legal registration to all belief systems and their derivatives without discrimination.
- Remove all forms of undue involvement of the government in the internal affairs of religious organisations.

Restriction tools implemented

- Government control or intervention in the internal affairs of religious organisations is widespread.
- Intrusive informational requirements.
- Membership quotas are in effect.
- Partial recognition is in effect.
- Politicisation of the process of registration of Buddhist groups takes place due to Buddhist groups being directly administered by the Prime Minister.
- Restrictions are imposed on which group may apply for registration.
- State definition and interpretation of religion; retributions for not keeping within these state interpretations include imprisonment and/or fines.
- State privilege.
- Stipulatory registration.
- Subjective language is used in the legislation and registration requirements to restrict which groups may receive registration.

History of RoRB classification

- Thailand has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Tibet Autonomous Region of the People's Republic of China — Terminal

RoRB and national identity

- The Chinese Constitution makes a partial claim to freedom of religion or belief, a claim that is not upheld in practice in Tibet by the Chinese government.
- The Tibet Autonomous Region is a secular territory under the principles of the Constitution of the People's Republic of China.

Recognition law

- Structures and procedures for existential recognition
 - The five religions recognised by the Chinese government also apply in the Tibet Autonomous Region; the five religions given existential recognition by the state include Buddhism, Catholicism, Islam, Protestantism, and Taoism.
- Evaluations
 - The recognition granted to these five religions by the state amounts to pseudo-recognition because despite these religions being recognised, their members continue to face unjust restrictions and their leaders either exiled or censored.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the central government's Regulations on Religious Affairs require religious groups to register with the government, impose fines on landlords who provide facilities for unauthorised religious activities, and restrict contact with overseas religious institutions.
 - **Role of the UFWD:** the United Front Work Department (UFWD) controls the selection of Tibetan religious leaders, including lamas.

- **Preapproval of online activity:** the regulations stipulate that the online activities of religious groups must be approved by the provincial UFWD.

- Evaluations

Law and policy on religion and belief

- Self-identification
 - The significant concerns over restrictions placed on religious self-identification in China are intensified in Tibet.
- Communal activity
 - **Censorship of reincarnations:** *regulations stipulate that, depending on the perceived geographic area of influence of the lama, relevant administrative entities may deny permission for a lama to be recognised as reincarnated (a tenet of Tibetan Buddhism), and that these administrative entities must approve reincarnations. The UFWD claims the right to deny the recognition of reincarnations of high lamas of “especially great influence.” The regulations also state no foreign organisation or individual may interfere in the selection of reincarnate lamas, and all reincarnate lamas must be reborn within China. The CCP maintains a registry of officially recognised reincarnate lamas. Regulations issued by the UFWD allow only Chinese citizens to take part in officially approved religious practices; these regulations assert CCP control over all aspects of religions, including religious venues, groups, personnel, and schools.*
 - **Extremism and national security:** *the regulations also require that religious activity “must not harm national security.” While the regulations stipulate that religious groups must abide by the law, safeguard national unity, and respond to “religious extremism,” the term “extremism” is undefined. Measures to safeguard unity and respond to “religious extremism” include monitoring groups, individuals, and institutions, and recommending penalties such as suspending groups and canceling clergy credentials.*

- **Hieronymy:** rules regarding the importation of religious materials or devotional items into Tibet are likely to be far stricter than those for other parts of Mainland China (except Xinjiang). It is likely that imports of religious goods will need to be approved by the UFD before they will be granted entry, especially if goods are intended for propagational rather than personal use. It is likely that any materials contravening the guidelines issued by the Propaganda Department of the CCP Central Committee will be denied importation. Books written by or in support of the exiled Dalai Lama will be prohibited. Unregistered religious groups are not likely to have their imports accepted.
- **Pilgrimage:** *the regulations require religious groups to seek approval to travel abroad and prohibit “accepting domination by external forces,” which authorities say include Tibetans in exile, particularly the Dalai Lama.*
- **Places of worship:** *through local regulations issued under the framework of the national-level Management Regulation of Tibetan Buddhist Monasteries, governments of the TAR and other autonomous Tibetan areas control the registration of monasteries, nunneries, and other Tibetan Buddhist religious centres. The regulations also give the CCP formal control over building and managing religious structures and require monasteries to obtain official permission to hold large-scale religious events or gatherings.*
- **Religious education:** *the regulations submit religious schools to the same oversight as places of worship and impose restrictions on religious groups conducting business or investments, including placing limits on the amount of donations they may receive, thereby constraining property ownership and development.*
- **Religious literature:** *publication of religious material must conform to guidelines determined by the Propaganda Department of the CCP Central Committee.*

- Penal code
 - The significant concerns over issues effecting RoRB conditions found in the Chinese penal code also apply to Tibet.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Tibet to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Tibet for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated and yet although there is a focus placed on legal registration procedures, gaining such registration does not act as a guarantor of being able to conduct religious activities freely.
- The Chinese Communist Party has extended its repressive approach to religion and belief that it applies in Mainland China to Tibet by tailoring its apparatus of terminal restriction to the specifics dynamics of Tibetan religious life.
- The rule of mandatory registration, especially as this applies to all instances of religious activity, is terminally restrictive and violates the Bielefeldt provision.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present terminally restrictive apparatus of laws and policies for religion and belief; however,

realistically, such a dismantlement could only take place if a similar reversal in attitudes, policy and legislation was made for China as a whole.

Restriction tools implemented

- Confinement restriction tool is universally applied with detrimental effect.
- Digital activities of religious groups are severely censored as are written materials.
- Government control of all instances of religious activity, including state approval of lamas, is absolute.
- Mandatory registration for all religious groups and individual instances of activity.
- Restrictions are imposed on the degree to which religious groups are able to communicate with foreign religious institutions.
- Retributions breaking laws regarding unauthorised religious activity primarily include fines, suspension of religious groups, and likely also imprisonment.
- State definitions and interpretations of religion, specifically Tibetan Buddhism, are deeply entrenched to the point at which core beliefs of Buddhists are counteracted by government action.
- Subjective language used in the legislation gives the Chinese government broad scope to terminally restrict all forms of religious activity in the region.
- Weaponisation of the term “extremism”.

History of RoRB classification

- Tibet has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Timor-Leste, Democratic Republic of — Restrictive

RoRB and national identity

- The Constitution of East Timor makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice though with some infractions.
- The Democratic Republic of Timor-Leste is a secular state.
- The Constitution of East Timor assigns state privilege to the Catholic Church but does not establish it as the state denomination.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in East Timor.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in East Timor demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** although the government does not mandate that religious groups register with it, its stipulation that religious groups must register with it if they seek to “open private schools” and to provide “other community services” is concerning. Offering services to the community is often a central component of a religious institution’s activities and is therefore be classified as one of the “basic religious activities” in RoRB standards. Until the government can

provide greater clarity on what “other community services” entails, it will be moved down the SRR to Restrictive status.

- **Procedure:** articles of association and “other relevant documentation” (likely including addresses, names of officials etc.) must be submitted to the National Directorate for Registry and Notary Services (DNRN) within the Ministry of Justice.
- **Secondary procedure:** dual registration is introduced when the law requires a separate registration for religious groups with the Ministry of Interior if it consists of primarily foreign members.
 - **Informational requirements:** articles of incorporation, proof they have the means to carry out their activities (**possible financial quota**), and the name of a designated representative.
- **Tertiary procedure:** multi-registration is introduced when a religious group needs to receive a tax identification number to gain legal charter as an organisation. Groups must register first with the Ministry of Justice and then bring that registration to the Service for Registration and Verification of Businesses, the business registration agency; the DNRN then issues a certificate and legally charters the religious group.
- **Legal designation:** religious groups are given the designation non-profit corporate body in the law.
- **Tax exemptions:** unlike in most registration systems where tax exemptions are a common benefit of a religious group completing registration, in East Timor, tax exemption is available to religious groups even if they do not register. Tax exemptions are dispensed by the Ministry of Finance.

- Evaluations

Law and policy on religion and belief

- Self-identification
 - **National identity documentation:** *the notary service issued birth certificates to minority religious community members, but*

not marriage certificates, according to the president of the National Islamic Council.

- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into East Timor is permitted without restriction, both for personal and propagational use.
 - **Pastoral services:** *a chaplain who is Catholic and a citizen may serve in the armed forces. The law states, “Foreigners cannot provide religious assistance to the defense and security forces, except in cases of absolute need and urgency.” Foreign citizen missionaries and non-missionary religious officials are exempt from paying normal residence and visa fees. Visa regulations are the same for all foreign religious workers, regardless of religious affiliation.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of East Timor’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in East Timor to investigate cases of human rights violation in the country.
 - **State funding:** *in September 2021, the Civil Society Support Office under the Prime Minister’s office signed a \$110,000 grant agreement with ATR-TL, the newly established, multi-religious association launched in October, to conduct a nondenominational nationwide survey of faith-based tourism assets and to promote hospitality and tour guide training for young people. The Civil Society Support Office also provided a \$250,000 grant to the Muslim community in September to support their religious activities and education. A Protestant church received nearly \$170,000 in grant money to build a*

church in Viqueque while a separate Protestant church received more than \$67,000 to construct a church on Atauro island.

- As part of its annual budget, the Office of the Prime Minister allocated \$15 million to the Catholic Episcopal Conference of Timor-Leste for distribution among the country's three Catholic dioceses. The terms of the concordat with the Holy See governed the allocations. The direct budget allocations to the Catholic Church again caused some tension with non-Catholic religious groups, according to minority religious leaders, who said the funding significantly favored the Catholic Church, since non-Catholic religious groups needed to apply for funding from a separate source instead of receiving a dedicated budget allocation. Catholics and all other religious groups could apply, along with other organizations, for part of a separate \$6 million government fund set aside for civil society organizations during the year.

Social dimensions of RoRB

- **Minorities:** Protestants and Muslims have reported some cases of discrimination and harassment.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; legal registration is offered to all religious groups with the primary benefit being tax-exempt status.
- There exists a couple of two-step verifications that are unnecessary.
- There is a separate process of registration for groups with primarily foreign members or perhaps of foreign origin.
- Protestants and Muslims have reported some cases of discrimination and harassment.

Positive elements

- Nil.

Recommendations

- Establish differentiation between existential recognition and legal registration.
- Forms of discriminations and harassment reported should be resolved through means of recognition.
- Remove some of the administrative hurdles.
- To achieve Dynamic status, establish an independent recognition agency to manage the recognition system.

Restriction tools implemented

- Minor administrative restrictions.
- Stipulatory registration.
- Two-step verifications correspond to unnecessary administrative unnecessary.
- Unstructured exists.

History of RoRB classification

- In the first iteration of the RoRB Index in 2021, East Timor was classified as Receptive.
- However, in the RoRB Index of 2022, East Timor is reclassified as Restrictive due to the partly onerous nature of the registration procedures in which there is institute multi-registration.

Togolese Republic — Restrictive

RoRB and national identity

- The Constitution of Togo makes an explicit claim to freedom of religion or belief although this claim is consistently infringed upon by the government in practice.
- The Togolese Republic is a secular state.
- The Togolese government extends state privilege to Catholicism, Islam and Protestantism.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Togo.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Togo demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Discriminatory registration:** the government mandates that all religious groups register with it except for Catholic, Protestant and Islamic groups. Legal registration is amalgamated with what is called official recognition. Official recognition as a religious association provides other groups the same rights as those afforded to Catholics, Protestants, and Muslims. There is some ambiguity as to the mandatoriness of registration.
 - **Procedure:** religious groups must apply for registration through the Directorate of Religious Affairs (DRA) which exists within the Ministry of Territorial Affairs (MTA). The

DRA issues a receipt that serves as temporary recognition for religious groups applying for registration.

- **Authorisation delay:** the investigation and issuance of formal written authorization usually takes several years.
 - **Pending applications:** *similar to previous years, the government did not act on approximately 900 pending registration applications from religious groups and has not accepted new applications since 2013. Most pending registration applications came from Christian evangelical religious movements.*
 - **Qualifications:** criteria for recognition include authenticity of the religious leader's diploma and the government's assessment of the ethical behavior of the group, which must not cause a breach of public order.
 - **Legal designation:** religious association is how religious groups are referred to in Togolese law.
 - **Registration fee:** a registration fee of 150,000 CFA francs (\$280) which violates the RoRB standard threshold of \$100.
 - **Registration benefits:** import duty exemptions for humanitarian and development projects, government-provided teachers for private schools and special assistance in case of natural disasters.
 - **Informational requirements:** statutes, statement of doctrine, bylaws, names and addresses of executive board members, leaders' religious credentials, a site-use agreement, map for religious facilities, and description of its finances.
- Evaluations
 - The imposition of a discriminatory registration policy is impermissible to RoRB standards.
 - The imposition of a registration fee that exceeds the \$100 threshold is impermissible to RoRB standards.
 - The stipulated qualifications for registration are subjective that the government may misuse them to restrict religious groups it does not favour which is indeed impermissible to RoRB standards.

- The significant amount of pending applications for registration demonstrates the Togolese government's misuse of registration procedures to limit the activities of religious groups it does not favour.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Togo as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the rules surrounding unregistered religious groups being able to import religious materials or devotional items into Togo for propagational use remains unclear. The importation of religious goods for personal use is permitted.
 - **Places of worship:** *due to COVID-19 restrictions, the government prevented religious groups from opening new places of worship and limited public gatherings. The cabinet did not act on a bill submitted to it by the MTA in July 2019 and pending since 2018 detailing the process for opening places of worship and regulating hours of operation and levels of noise allowed during worship, and the DRA said that it was awaiting passage of the proposed law to approve pending registration applications.*
 - **Religious education:** *the public school curriculum does not include religion classes. There are many Catholic, Protestant, and Islamic schools to which the government assigns its own paid employees as additional teachers and staff. Other registered religious groups have the right to establish schools as long as they meet accreditation standards.*
 - **Religious events:** by law, religious groups must request permission to conduct large nighttime celebrations,

particularly those likely to block city streets or involve loud ceremonies in residential areas.

- Penal code
 - There is insufficient information about Togo's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **National holidays:** some Catholic, Protestant and Islamic holidays are observed as national holidays.
 - **Ombudsmanship:** there is currently no ombudsman office established in Togo to investigate cases of human rights violation in the country.
 - **Outreach:** *the government continued to meet with religious leaders throughout the year.*

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Togo for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are differentiated but the former is bestowed only to Catholicism, Protestantism and Islam; all other belief systems and denominations are only offered legal registration as a means of state recognition of their existence; a system of partial recognition is in place because legal registration does not equate to the same degree of recognition that these three religions have received.
- Informational requirements do seem slightly intrusive particularly as they demand specific details on the internal affairs of religious organisations.

- The registration process taking several years to complete is highly censorious even though temporary is granted in the meantime as it creates a situation of partial recognition.
- The rule of mandatory registration, even though it is not imposed on all groups, nevertheless violates the Bielefeldt provision; the fact that this mandatory registration rule is not universally applied actually indicates the discrimination present within the system; also there exists some contradictions within the legislation regarding whether registration is obligatory.

Positive elements

- The freedom of religion or belief of individuals is generally, though not broadly, upheld in practice by the government.

Recommendations

- Re-establish the recognition system in such a way that it extends existential recognition and legal registration to all belief systems and their derivatives equally.
- Dismantlement of the present body of policies restricting registration such as the relatively high fee.
- Revoke the mandatory registration order and ensure that informational requirements are not excessive.

Restriction tools implemented

- Ambiguity exists throughout the legislation.
- Intrusive informational requirements.
- Mandatory registration imposed for some but not all groups.
- Partial recognition is in effect.
- Registration fee is relatively high which is therefore restrictive.
- Stagnation in the processing of registration applications demonstrates the government's censorial approach to religion despite it claiming that such groups could continue to operate informally.
- The registration process takes several years to complete.

History of RoRB classification

- Togo was classified Censorious in the SRR in the first edition of the RoRB Index in 2021.
- However, Togo was reclassified upwards as Restrictive in the 2022 RoRB Index.

Tokelau Islands — Apathetic

RoRB and national identity

- The Constitution of Tokelau makes an explicit claim to freedom of religion or belief.
- New Zealand law on religious recognition is not applied in the dependent territory of Tokelau.
- The Tokelau Islands is a secular territory.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Tokelau.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Tokelau demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - Insufficient reliable information exists for registration procedures for religious groups in Tokelau as of the writing of the First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Tokelau is permitted without restriction, both for personal and propagational use.

- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Tokelau to investigate cases of human rights violation in the country.

Social dimensions of RoRB

Overview

- Makes no claim to freedom of and belief in its constitution and discrimination yet references to support for the Universal Declaration of Human Rights are made in the Constitution of Tokelau.
- Non-percolative recognition is in effect.
- Unsure of the existence of a recognition system.

Restriction tools implemented

- Unstructure is widespread which has caused a lack of provisions for existential recognition and legal registration.

History of RoRB classification

- Tokelau has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Tonga, Kingdom of — Apathetic

RoRB and national identity

- The Constitution of Tonga makes a partial claim to freedom of religion or belief, a claim that is generally upheld by the government in practice.
- The Kingdom of Tonga is a secular state.
- The Tongan government extends state privilege to Christianity and Christian groups over non-Christian groups.
- There are some restrictions on commercial activity on Sundays in keeping with a constitutional recognition of the Christian sabbath.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Tonga.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Tonga demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government does not require that religious groups register with it in order to conduct basic religious activities according to RoRB standards. Religious groups only need to register to receive certain financial benefits and to perform certain acts.
 - **Procedure:** a religious group should submit an application to the Ministry of Commerce, Trade, Innovation and Labor. Dual registration is in effect because groups that register

with the Ministry of Commerce, Trade, Innovation and Labor must also register with the Ministry of Revenue and Customs.

- **Legal designation:** registered religious groups are given the legal designation non-profit organisation.
- **Informational requirements:** certified copies of the group's rules and constitution, a declaration detailing any other trust in which the applicant holds assets, and a witness's signature (**signature quota**).
- **Registration fee:** a 115 pa'anga (\$52) application fee.
- **Registration benefits:** recognition of clergy as marriage officers; tax exemptions on nonbusiness income, importation of goods for religious purposes, and fundraising; protection of a denomination's name (implies **nominal restriction**); and access to broadcasting on public channels.

- Evaluations

- The imposition of a stipulatory registration policy in Tonga is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of "basic religious activities" as defined by RoRB standards.
- The imposition of a registration fee below the \$100 threshold is permissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- **Marriage law:** the law allows religious leaders to legalise marriages. According to the law, only marriages solemnised by clergy or religious officiants, who must be Christian, are legally recognised, and no other marriage is valid. Those non-Christians unwilling to be married by a Christian minister have no legal options to marry.

- Communal activity

- **Broadcasting:** policy guidelines from the Tonga Broadcasting Commission (TBC) bar broadcasts of preaching outside the “mainstream Christian tradition,” though this has reportedly not been strictly enforced.
 - *The government-owned Tonga Broadcasting Commission (TBC), a 24-hour service, maintained policy guidelines regarding the broadcast of religious programming on TV Tonga and Radio Tonga. The TBC guidelines stated that in view of “the character of the listening public,” those who preach on TV Tonga and Radio Tonga must confine their preaching “within the limits of the mainstream Christian tradition.” There were no reports, however, of the TBC denying any group’s request to broadcast on public channels. The government permitted all Christian groups to participate in broadcasting one free hour of services on the radio each Sunday. All churches were able to broadcast notices of their activities on six FM radio stations and three television stations: Television Tonga, Digi TV, and the Christian station Doulos Television Radio.*

- **Hierarcy:** the importation of religious materials or devotional items into Tonga is permitted without restriction, both for personal and propagational use.

- **Marriage officiation:** *the law allows religious leaders to legalise marriages. According to the law, only marriages solemnised by clergy or religious officiants, who must be Christian, are legally recognized, and no other marriage is valid. Those non-Christians unwilling to be married by a Christian minister have no legal options to marry.*

- **Public observance:** Tonga strictly observes the Sabbath. On Sundays any recreational activities undertaken outside of island resorts may be seen as provocative.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Tonga’s penal code.

- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Sudan to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Tonga for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on the latter as legal registration; this legal registration process is two-pronged which isn't ideal and primarily consists of financial benefits.
- Some of the restrictions imposed on unregistered groups, particularly the importation of religious goods and fundraising, make registration seem borderline mandatory for religious groups to operate some basic functions.

Positive elements

- Freedom of religion or belief is broadly though not universally upheld by the government in practice.
- Horizontal recognition is in effect.

Recommendations

- Establish a revitalised recognition system that crucially provides existential recognition and legal registration to all belief systems and their derivatives without discrimination.
- Revoke borderline mandatory registration requirements and the imposed signature quota.
- To become classified as dynamic, establish a recognition agency that is autonomous of government control that is responsible for managing the recognition system.

Restriction tools implemented

- Marriage by non-Christian clergy is not allowed.
- Stipulatory registration although borderline mandatory in practice in order for religious organisations to conduct basic activities.
- Subjective language is used in the constitution and legislation to qualify freedom of religion or belief in the country.

History of RoRB classification

- Tonga was originally classified Apathetic in the SRR as part of the 2021 RoRB Index and continues to be so for the 2022 RoRB Index.

Pridnestrovian Moldavian Republic – Restrictive

RoRB and national identity

- The Constitution of Transnistria makes an explicit claim to freedom of religion or belief.
- Transnistria is a secular territory.
- State privilege is extended to the Moldovan Orthodox Church (MOC).

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Eastern Orthodoxy in Transnistria.
- Evaluations
 - The lack of existential recognition in Transnistria for any denomination other than Eastern Orthodoxy is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government requires religious groups to register with them to conduct their activities legally.
 - **Limitations on foreign religious groups and foreigners:** foreign religious groups are not permitted to register, and foreign individuals may not found or join registered groups.
 - **Denial of registration:** authorities have denied registration to several smaller religious groups, which at times face harassment by police and Orthodox opponents.
 - 114 religious beliefs and congregations are officially registered according to the government.

- Evaluations
 - The imposition of a mandatory registration order onto registrant religious groups is impermissible to RoRB standards.
 - The denial of registration of religious groups unfavoured by the state is impermissible to RoRB standards.
 - The restriction of foreign religious activity, including disallowing the registration of BBOs of foreign origin, is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Moldova as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Transnistria is permitted without restriction, both for personal and propagational use.
 - The law imposes restrictions and penalties related to unauthorised distribution of religious literature, preaching in public spaces, and organised religious activities in residential buildings.
- Penal code
 - There is insufficient information about Moldova's penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Transnistria to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Jehovah's Witnesses:** Jehovah's Witnesses have been unable to obtain registration in Transnistria.
- **Muslims:** Members of the Muslim community report a reluctance to practice their faith openly due to past intimidation by authorities, and they have struggled to advance plans to establish a mosque in Tiraspol.

Overview

- State privilege is given to Eastern Orthodox Christianity.
- All groups of foreign origin are denied opportunities for registration.
- Government denial of registration to non-traditional religions is reflective of the country's restrictive policies towards religion and belief.
- Mandatory registration violates the Bielefeldt provision.

Restriction tools implemented

- False claim of freedom of religion or belief.
- Intimidation by authorities is commonplace for non-Christian groups and Jehovah's Witnesses.
- Mandatory registration is in effect.
- Private religious activity is restricted.
- Proselytism is restricted including restrictions on religious literature.
- Restrictions exist on the importation and distribution of "unauthorised" religious texts which denotes texts of non-traditional groups.

Recommendations

- Revoke the mandatory registration order and the discriminatory denial of registration; revoke discrimination between GFOs and domestic groups as well as the policy of non-recognition for all denominations except the MOC.

History of RoRB classification

- Transnistria has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Trinidad and Tobago, Republic of — Restrictive

RoRB and national identity

- The Constitution of Trinidad and Tobago makes a claim to freedom of religion or belief, a claim that the government generally upholds in practice but with some infractions.
- The Republic of Trinidad and Tobago is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Trinidad and Tobago.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Trinidad and Tobago demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government doesn't mandate that religious groups register with it, listing the officiation of marriages as a benefit of registration in turn makes registration pseudo-mandatory. Religious groups have the same rights and obligations as most legal entities, regardless of their registration status. They may, for example, own land and hire employees, and they are liable for property taxes and government-mandated employee benefits.
 - **Procedure:** submission of a request for charitable status to the Ministry of Finance.

- **Qualifications:** demonstration of non-profit nature of activities.
 - **Longevity quota:** in operation for one year.
 - **Legal designation:** non-profit organisation.
 - **Informational requirements:** a certificate or articles of incorporation, the constitution and bylaws of the organisation, and the most recently audited financial statements.
 - **Registration benefits:** tax-exempt donations or gifts of land, perform marriages, or receive visas for foreign missionaries.
 - **Non-response:** *according to the secretary of the IRO, the National Council of Orisha Elders of Trinidad and Tobago continued to wait for the government to recognize the Orisha religious group. The group submitted its registration application to the government in 2018, and it was still pending at year's end. Other religious leaders expressed concerns with the slow pace of government action in processing administrative filings or applications, which they reported was also a problem before the COVID19 pandemic.*
- Evaluations
 - The imposition of a stipulatory registration policy in Trinidad and Tobago is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
 - The imposition of a longevity quota of any kind onto registrant religious groups is impermissible to RoRB standards.
 - The informational requirement of financial statements is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Trinidad

and Tobago as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Foreign missionary activity:** *foreign missionaries must meet standard requirements for entry visas and must represent a registered religious group in the country. Permits are valid for a maximum period of three years at the cost of TTD 500 (\$74) per year. Missionaries may not remain longer than three years per visit but may reenter after one year's absence.*
 - *The government limited the number of long-term foreign missionaries to 35 per registered religious group; however, the limits were not a constraint due to the pandemic and the closure of the borders for almost 16 months. Missionaries in excess of the 35 individuals allowed could remain in the country for a maximum of 30 days. Some international religious groups, however, said more than 35 missionaries could remain in the country if they affiliated with more than one registered group, including nonprofit groups and charities. According to the president of the IRO, religious institutions could apply to extend the stay of their missionaries, but there was no guarantee of approval.*
 - **Hieronymy:** *the importation of religious materials or devotional items into Trinidad and Tobago is permitted without restriction, both for personal and propagational use.*
 - **Pastoral services:** *chaplains representing different faiths present in the country may visit prisons to perform religious acts and minister to prisoners.*
- Penal code
 - *There is nothing of particular concern to RoRB standards in the present version of Trinidad and Tobago's penal code.*
- Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Trinidad and Tobago to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Trinidad and Tobago for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on the latter as legal registration but primarily equates to charitable status which suggests a lack of differentiation between procedures for religious entities and those for secular entities.
- Informational requirements seem appropriate but require continued monitoring to ensure they are not unduly expanded or misapplied to the detriment of applicant groups.

Positive elements

- Freedom of religion or belief is broadly though not universally upheld by the government in practice.
- Provisions to give religious groups rights regardless of registration status demonstrates dynamic character.

Recommendations

- To reach Receptive status, establish a revitalised recognition system that provides both existential recognition and legal registration to all belief systems and their derivatives and at multiple levels of activity.
- To become classified Dynamic, establish a recognition agency that is autonomous of government control that is responsible for managing the recognition system.
- Revoke the imposition of a longevity quota.

Restriction tools implemented

- A degree of unstructure exists within the system which has caused a lack of provisions for existential recognition.
- Longevity quotas are in effect.
- Stipulatory registration.

History of RoRB classification

- Trinidad and Tobago was classified Apathetic in the SRR in the first edition of the RoRB Index in 2021.
- However, Trinidad and Tobago was reclassified Restrictive in the 2022 RoRB Index.

Tunisia, Republic of — Censorious

RoRB and national identity

- The Constitution makes a partial claim to freedom of religion or belief, a claim the government fails to uphold in practice.
- The Tunisian Constitution of 2014 establishes Islam as the state religion without making specification as to a particular state denomination.

Recognition law

- Structures and procedures for existential recognition

Bilateral cooperation agreements: *a 1964 modus vivendi with the Holy See grants official recognition to the Roman Catholic Church. The modus vivendi allows the Church to function in the country and provides state recognition of the Catholic Church, although it restricts religious activities and services to the physical confines of authorized churches and prohibits construction of new churches and the ringing of church bells. A limited number of Catholic schools and charities may operate under the modus vivendi, but their financial activities are conducted through registration as an association and their affiliation with the Church is not publicised.*

- Evaluations
 - The provision of bilateral cooperation agreements is welcomed although needs significantly expanding to all minority religious denominations existent in the country so that they have the opportunity to receive existential recognition.

Registration law

- Structures and procedures of legal registration

- **Pseudo-mandatory registration:** the government does not mandate that religious groups register with it, however, many “basic religious activities” such as organising meetings and public events as well as publishing leaflets are all dependent upon a group’s completion of registration procedures.
- **Procedure:** submission of a registered letter to the Prime Minister’s Office stating the purposes of the association that is intended to be registered. Once an association receives the return receipt from the Prime Minister’s Office, it has seven days to submit an announcement of the name, purpose, and objectives of the association to the government press. The government press has 15 days to publish the announcement in the government gazette, which marks the association’s official registration.
- **Regulatory interval:** two intervals are imposed, one on applicant associations and another on the government press of seven days and fifteen days respectively. In the event the government does not return a registered receipt within 30 days, an association may proceed to submit its documents for publication and obtain registration.
- **Legal designation:** registered religious groups are legally designated associations in Tunisia.
- **Qualifications:** the association must not purport to represent all believers of a religious group or use the name of a religious group (**nominal restriction**).
- **Informational requirements:** copies of the national identity cards of its founders, who must be citizens; and two copies of the articles of association signed by the association’s founders or their representatives. The articles of association must contain the official name of the association in Arabic and any foreign language, if appropriate; its address; a statement of its objectives; membership criteria; membership fees; and a statement of organisational structure, including identification of the decision-making body for the association.
- **Registration benefits:** establish a bank account, conduct financial activities such as charity work, and receive favorable tax treatment, including tax-free donations from government-approved associations. Once established, an association may receive tax-exempt income from

organisations, including foreign organisations that have a prior agreement with the government. Registered associations have the right to organise meetings and demonstrations, to publish reports and leaflets, to own real estate, and to engage in “all types of civil activities.”

- **Limitations:** the law prohibits associations from engaging in for-profit activities, providing material support to individual political candidates, or adopting bylaws or taking actions to incite violence or promote hatred, fanaticism, or discrimination on the basis of religion.
- **Foreign association:** a foreign association may establish a branch in the country.
 - **Denial of registration:** the government may also reject its registration request if the government finds the principles or objectives of the foreign association contravene the law.

- Evaluations

- The imposition of a stipulatory registration policy in Tunisia is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
- The grounds listed for the denial of registration are impermissible to RoRB standards for being too subjective and based on the Tunisian government’s historical human rights record, grounds for denial are likely to be misused against religious groups that the government does not favour.
- The provision of a regulatory interval is welcomed as part of efforts to self-regulate.
- The excessive informational requirements imposed as part of registration procedures are impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is insufficient information regarding self-identification in Tunisia as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Apostasy:** bans campaigns against apostasy and incitement to hatred and violence on religious grounds.
 - **Blasphemy:** blasphemy remains illegal and police may invoke it as a pretext for arrests.
 - **Broadcasting:** *HAICA ordered the closure of several media outlets, including some with religious affiliations, for not complying with HAICA licensing requirements. HAICA regulations do not permit media outlets to be affiliated with political parties or religious groups. On October 5, the Ministry of Interior enforced HAICA's order to close Zitouna TV, which frequently broadcast religious programming, for violating its operating license by being affiliated with the Nahda political party, which describes itself as being comprised of Muslim democrats. HAICA said it ordered the closure because the station lacked an operating license. On November 2, HAICA ordered the closure of Quran Kareem, a religious radio station, also for operating without a license. In announcing the decision, HAICA said that Quran Kareem was "promoting hate speech to incite violence and hatred." On November 18, a court overturned HAICA's decision to confiscate Zitouna and Radio Quran's equipment. HAICA announced it was considering an appeal to ensure all media outlets are treated equally, under the authority's regulatory mandate.*
 - **Hierony:** the importation of non-Islamic religious materials or devotional items into Tunisia for propagational use is likely to require preapproval from the Ministry of Religious Affairs (MRA). It is permitted, however, to import non-Islamic religious goods for personal use.
 - The FedEx Cross Border global lists states that "any items offensive to the Muslim culture" which could easily be interpreted broadly to ban the importation of non-Islamic

religious literature and items. “Books: hardback/paperback non-comm” are also classified as prohibited items.

- **Places of worship:** by law, new mosques may be constructed, provided they are built in accordance with national urban planning regulations. The MRA pays for construction of mosques, although private and foreign donors also are able to contribute to construction costs. Mosques become government property upon completion, after which the government must maintain them.
- **Proselytism:** there is no legal prohibition of proselytism, but the law criminalises forced conversions.
- **Ramadan:** in May 2019, during Ramadan, a café owner was arrested and fined for keeping his restaurant open during fast hours in what human rights activists called an arbitrary use of criminal law.
- **Religious education:** Islamic education remains a required component of the curriculum in public schools.
- **State oversight of Muslim activities:** *the law states that the government oversees Islamic prayer services by subsidising mosques, appointing imams, and paying their salaries. The Grand Mufti, appointed by the President, is charged with declaring religious holidays, issuing certificates of conversion to Islam, attending to citizens’ inquiries, representing the country at international religious conferences, providing opinions on school curricula, and studying and writing about Islam. The MRA suggests themes for Friday sermons but does not regulate their content. The government may initiate administrative and legal procedures to remove imams whom authorities determine to be preaching “divisive” theology.*
- Penal code
- **Violation of association laws:** *violations of the provisions of the law related to associations are punishable, first by a warning of up to 30 days from the secretary general of the*

government, then by a court order suspending the association's activities for up to 30 days if the violations persist. If the association is still in violation of the law, the secretary general may then appeal to the court for dissolution of the association. Under the law, associations have the right to appeal court decisions.

- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Tunisia to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Baha'is:** *according to a 2020 NGO Minority Rights Group International (MRGI) report, because the Baha'i community remained unregistered, it could not have a bank account, organise money collection, or establish religious schools. In 2020, the Baha'i community petitioned the Minister of Local Affairs to establish a Baha'i cemetery but did not receive a reply by year's end.*
 - *The Baha'i community's efforts to establish an association remained ongoing at year's end. After a 2020 court ruling in favour of allowing Baha'is to form an association, the General Prosecutor presented an appeal to the court referencing a nonpublic fatwa issued by the Grand Mufti in 2016, which stated that Baha'i Faith members were apostates and infidels and therefore should not be permitted to practice their faith. The appeal remained pending at year's end.*
- **Christians:** *Christian citizens continued to state there was strong governmental and societal pressure not to discuss a church's activities or theology publicly. Christian sources stated that security forces banned a meeting of 25 Christians in September in a hotel in the city of Hammamat for reasons unrelated to COVID-19 concerns. According to the Attalaki Association, police reportedly interrogated a Tunisian pastor in Nabeul Governorate for holding a religious gathering. After interrogating him for five hours without his attorney present, they released him. Police told him he was banned from holding future religious gatherings in the Nabeul Governorate.*

- *Members of the Christian community reported the government allowed churches to operate within set guidelines and provided security for their services. The government generally restricted public religious services or processions outside churches as agreed under the 1964 modus vivendi with the Vatican. The Santa Costa Church did not hold a celebration in August in the streets of the city of La Goulette in honour of the Catholic Feast of the Assumption due to government COVID-19 restrictions on gatherings.*
- *Christian citizens reported the government continued to deny them the right to establish a legal entity or association that would give them the ability to establish an Arabic-language church or a cemetery. The Christian community, however, again did not submit a formal request for an association or legal status during the year, due in part to COVID-19-related restrictions. Christian cemeteries existed for foreign members of the Christian community; Christian citizens, however, continued to need permission from the government to be buried in any of these cemeteries. Citizens reported they generally did not request such permission due to what they said was a pattern of governmental nonresponse. Prior to President Saied's suspension of Parliament on July 25, the Attalaki Association reported continued exchanges with members of parliament representing the Nahda political party, Tahya Tounes political party, the Reform bloc in parliament, and the Union for Religious Affairs to discuss efforts to combat hate speech based on religion and to license a Christian cemetery and Arabic-language church.*
- **Jews:** *representatives from the Jewish community reported that in October 2021, as a follow-up to the application they first filed in 2019, they submitted legal documents related to establishing a Jewish community association to the MRA and to the Minister, who had vowed to support the request. There were no additional updates to the petition, however. The Jewish community initiated the applications to establish associations in order to better advocate with the government on behalf of Jewish community interests and serve as an organising body for the Jewish communities in Gabes, Medenine, and Tunis.*
- *Jewish groups said they continued to worship freely, and the government continued to provide security for synagogues and*

partially subsidised restoration and maintenance costs. Government employees maintained the Jewish cemetery in Tunis but not those located in other cities, including Sousse and El-Kef. According to Jewish community representatives, the synagogue of Tataouine, which was placed on the national heritage registry in 2020, remained under state protection to prevent further degradation of the building.

Overview

- State religion is Islam.
- Recognition and registration are differentiated yet the former as existential recognition is only provided to Islamic groups and organisations; legal registration is provided to both Islamic entities and non-Islamic entities under the category “association” which in turn creates a situation of partial recognition because even though a group may successfully register, this does not equate to the same level of recognition that Islam and Islamic organisations receive.
- The involvement of the Prime Minister’s Office in the registration process is inappropriate because this politicises the process and gives broad control to unduly deny registration.
- The language used in the law surrounding proselytism is subjective which means that it is vulnerable to misapplication by the government, typically as a means to censor proselytising activities.
- A bilateral cooperation agreement between the Holy See and the Tunisian government provides the Catholic Church with some degree of existential recognition although this does not equate to Islam's recognised status and restrictions still persist on the Church's activities.

Positive elements

- Nil.

Recommendations

- Dismantlement of the present apparatus of laws restricting non-Islamic religious activity.
- Establish a reorganised recognition that provides recognition and registration to all belief systems and their derivatives.
- Remove all forms of subjective language from the legislation on religion and belief.

Restriction tools implemented

- Criminalisation of “forced conversions.”
- Excessive informational requirements.
- False claim to freedom of religion or belief.
- Normativism is in effect.
- Partial recognition is in effect.
- Politicisation of religion and the registration process is commonplace.
- Public objection restriction tool.
- Religious favouritism.
- Reports of harassment and discrimination directed towards Christian converts is a demonstration of anti-minority sentiment festering among the public.
- Retributions for violating the law regarding associations include warnings, suspension of the group, or eventual dissolution of the group.
- State religion.
- Stipulatory registration.
- Subjective language is dotted throughout the legislation that is vulnerable to misapplication to the detriment of religious groups trying to register or conduct their activities, including for foreign groups attempting to establish a branch in the country.

History of RoRB classification

- Tunisia has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Türkiye, Republic of — Censorious

RoRB and national identity

- The Constitution of Turkey makes an explicit claim to freedom of religion or belief, a claim that the government consistently infracts in practice.
- The Republic of Turkey is a secular state.
- Although the government continues to extend state privilege for Sunni Islam.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Turkey.
 - **Non-recognition of the Ecumenical Patriarch:** *the government continued not to recognize Ecumenical Patriarch Bartholomew I as the leader of the world's approximately 300 million Orthodox Christians, consistent with the government's stance that there was no legal obligation for it to do so. The government's position remained that the Ecumenical Patriarch was only the religious leader of the country's Greek Orthodox minority population. The government continued to permit only Turkish citizens to vote in the Ecumenical Patriarchate's Holy Synod or be elected patriarch, and it continued its practice of granting citizenship to Greek Orthodox metropolitans under the terms of the government's 2011 stopgap solution intended to widen the pool of candidates eligible to become the next patriarch. The government continued to maintain that leaders of the Greek Orthodox (Ecumenical Patriarchate), Armenian Apostolic Orthodox, and Jewish communities must be Turkish citizens.*
- Evaluations

- The lack of existential recognition for belief systems and their communities in Turkey demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although registration is not explicitly made mandatory, it becomes mandatory through the government's assertion that registration is a necessary prerequisite for operating and putting in a request for the legal recognition of a place of worship.
 - **Criminalisation of unregistered places of worship:** gaining legal recognition of a place of worship requires permission from the municipalities for the construction or designation of a new place of worship. It is against the law to hold religious services at a location not recognised by the central government as a place of worship. Because it is illegal to hold religious services in places not registered as places of worship, in practice, these legal proscriptions apply only to recognised religious groups.
 - **Legal designations:** there are two legal designations used in the Turkey for religious groups, these are foundation and association with the former receiving greater legal benefits and status than the latter.
 - **Procedures for associations:** associations must be nonprofit and receive financial support only in the form of donations. A group must submit an application to the provincial governor's office with supporting documentation. A group must also obtain permission from the Ministry of Interior as part of its application if a foreign association or nonprofit organisation is a founding member; if foreigners are founding members of the group, the group must submit copies of its residence permits.
 - **Informational requirements:** bylaws and a list of founding members. If the governorate finds the bylaws unlawful or unconstitutional, the association must change them to meet the legal requirements.

- **Dissolution procedures:** a court order may close an association, and the Ministry of Interior may temporarily close an association or foundation and apply to a court within 48 hours for a decision on closure. Otherwise, the government may close associations and foundations by decree under a state of emergency. The civil code requires associations not to discriminate on the grounds of religion, ethnicity, or race.
 - **Procedures for foundations:** there are separate procedures for the registration of organisations under the legal designation foundation in Turkey, however, information regarding these procedures remains inconsistent.
- Evaluations
 - The imposition of a pseudo-mandatory registration policy is impermissible to RoRB standards.
 - The criminalisation of unregistered places of worship is impermissible to RoRB standards.
 - The registration procedures seem provincialised which is impermissible to RoRB standards.
 - Dissolution procedures must not be misused against religious groups that the government does not favour simply on the basis of religion or belief.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Turkey as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Censorship of Islam:** *the Diyanet continued to regulate the operation of all registered mosques, and it paid the salaries of Sunni personnel. The government did not pay the salaries of*

religious leaders, instructors, or other staff belonging to other religious groups.

- **Hierony:** the importation of religious materials or devotional items into Turkey is permitted without restriction, both for personal and propagational use.
- **Land allocation:** *the government continued to provide land for the construction of Sunni mosques and to fund their construction through municipalities. According to the Diyanet's most recent published statistics, there were 89,445 Diyanet-operated mosques in the country in 2020, compared with 89,259 Diyanet-operated mosques in 2019. Although Alevi groups were able to build some new cemevis, the government continued to decline to provide financial support for their construction and maintenance, with some instances of municipalities providing this support.*
- **Organisation:** *the leadership and administrative structures of religious communities do not have a legal personality, leaving them unable to directly buy or hold title to property or press claims in court. Communities rely on separate foundations or associations governed by individual boards to hold and administer assets and property.*
 - A 1935 law prohibits the establishment of foundations based on the religion or ethnicity of members but grants exemptions to foundations existing before the enactment of the law.
 - Non-Muslim citizens direct these longstanding foundations; 167 continue to exist, the majority of which are associated with the Greek Orthodox, Armenian Orthodox, and Jewish communities.
 - In practice, a religious group formed after the 1935 law may successfully apply to register as an association or foundation provided its stated objective is charitable, educational, or cultural rather than religious. There are six Protestant foundations (four existing before the passage of the 1935 foundation law), 36 Protestant associations, and more than 30 representative offices linked with these associations.

- The General Directorate of Foundations (GDF), under the Ministry of Culture and Tourism, regulates the activities and affiliated properties of all foundations, and it assesses whether they are operating within the stated objectives of their organisational charter. There are several categories of foundations, including those religious community foundations existing prior to the 1935 law.
 - If a foundation becomes inactive, the government may petition the courts to rule it is no longer operational and transfer its assets to the state. Only a court order may close a foundation of any category, except under a state of emergency, during which the government may close foundations by decree. A foundation may earn income through companies and rent-earning properties, as well as from donations. The process for establishing a foundation is lengthier and more expensive than that for establishing an association, but associations have fewer legal rights than foundations at the local level.
- Penal code
 - **Bylaw violation:** the governorate may fine or otherwise punish association officials for actions deemed to violate their organisation's bylaws.
 - **Criminalisation of unregistered places of worship:** the government may fine or close the venues of those violating the law on mandatory registration of places of worship.
 - **Demolition of religious property:** destroying or demolishing religious property is punishable by one to four years in prison.
 - **Interfering in religious services:** interfering with the service of a religious group is punishable by one to three years in prison.
 - **Prohibitions:** the law prohibits Sufi and other religious-social orders (tarikats) and lodges (cemaats), although the government generally does not enforce these restrictions.

- **Vandalism of religious property:** defacing religious property is punishable by three months to one year in prison.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Ombudsman’s Office was created in 2010 and is officially called the Public Monitoring Institution (KDK), has autonomy from the government and a separate budget.
 - **Outreach:** *in May, President Erdogan hosted an iftar at the Presidential Palace during Ramadan with the leaders of the main minority religious groups, including Greek Orthodox, Armenian Orthodox, Jewish, Assyrian, Roman Catholic, and other minority religious groups, to discuss issues such as a potential new constitution and the process of returning properties of minority foundations.*
 - *On March 27 and September 6, President Erdogan sent messages to the Jewish community celebrating Passover and Rosh Hashanah. The messages described unity as well as cultural and social diversity as one of the country’s most important assets and recognized the contributions of Jews “to develop, strengthen, and attain the goals” of the country. In April, he released an Easter message stating, “Sharing our Christian citizens joy on Easter, I strongly believe that such features of ours as unity and solidarity, which form the basis of our nation, will forever be passed on from one generation to another.”*
 - **State funding:** *during the year, the government allocated 350,000 lira (\$27,000) for religious minority publications, including newspapers, compared with no funding in 2020.*

Social dimensions of RoRB

- **LDS Church:** *the decision by the Church of Jesus Christ to remove its volunteers and international staff from the country remained in effect throughout the year. In 2018, the Church cited safety concerns as the reason for the removal. According to local members, some*

followers stayed away from church because they feared retribution and discrimination. Some said they had lost their jobs, including in the public sector, because of their faith, and they experienced difficulties in finding new employment.

- **Syriac Orthodox Christians:** *construction of a new Syriac Orthodox church, Mor Efrem, in Istanbul was delayed, but work continued, with completion expected in spring 2022. Once completed, it will be the first newly constructed church since the founding of the Turkish Republic in 1923. The approximately 18,000-member Syriac Orthodox community in Istanbul continued to use churches of other communities, in addition to its one existing historic church, to hold services.*

Overview

- Although Turkey is secular, the Islamic religion maintains a dominant role in the society with detriment to various minorities; however, Islam itself is state interpreted and groups not consistent with this interpretation are banned.
- Registration with the government is practically mandatory due to the construction of places of worship being contingent on registration; permission from municipalities further restricts the registration process.
- Procedures for registration of religious groups are amalgamated with those for secular entities which is not advisable; religious groups have gained registration prior to 1935 still retain their religious classification in law which in turn creates imbalance between the legal natures of different religious groups.
- Laws prosecuting interference with religious services and the defacing or demolishing of religious property only apply to registered religious groups.
- Religious organisations not having legal personality under the law is concerning, particularly as this comes to question their role in the law and also creates further undue restriction.

Positive elements

- Nil.

Recommendations

- Dismantlement of the present apparatus of laws restricting religious registration; provide recognition to all belief systems without discrimination.
- Revoke all religious prohibitions and the criminalisation of unregistered places of worship.

Restriction tools implemented

- Dormant law prohibiting Sufism and similar orders as well as lodges.
- Failure to comply with laws regarding places of worship will end in a fine and venue closure.
- Registration is interpreted as being mandatory.
- Unregistration means that a group has no legal standing or protection.

History of RoRB classification

- Turkey has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Turkish Republic of Northern Cyprus — Censorious

RoRB and national identity

- The Constitution of the TRNC makes an explicit claim to freedom of religion or belief, a claim that is not upheld in practice by the government.
- The Turkish Republic of Northern Cyprus (TRNC) is a secular state.
- Turkey is the only country to recognise the validity of Northern Cyprus and so the Republic of Turkey often mediates much of Northern Cyprus' interactions with the international community.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in the Turkish Republic of Northern Cyprus.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in the Turkish Republic of Northern Cyprus demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of BBOs in the Turkish Republic of Northern Cyprus as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in the Turkish Republic of Northern Cyprus as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Northern Cyprus is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is insufficient information about the penal code of the Turkish Republic of Northern Cyprus as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Northern Cyprus to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians and non-Sunni Muslims**: Christians and non-Sunni Muslims have complained that the government favours Sunni Islam in its policies on religious education and places of worship. The government's Religious Affairs Department staffs Sunni mosques with imams.
- **Non-Islamic religious services**: authorities continue to impose restrictions on access to churches and otherwise interfere with church services.

Overview

- Government interference in the internal affairs of religious organisations violates the Durham principles.
- Restrictions are imposed on Christian religious services and activities.
- State privilege is bestowed to Sunni Islam.
- Non-percolative recognition is in effect.

Positive elements

- Nil.

Recommendations

- Establish a recognition system that is able to provide procedures for existential recognition and legal registration, procedures which should remain distinct from each other.
- Remove restrictions that are currently imposed on minority religious groups.

Restriction tools implemented

- Government intervention in the internal affairs of religious organisations.
- State privilege.

History of RoRB classification

- The Turkish Republic of Northern Cyprus has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Turkmenistan — Terminal

RoRB and national identity

- A claim to freedom of religion or belief is made in the Constitution of Turkmenistan although this right is not upheld or respected in practice by the government with consistent and systematic infractions of this right.
- Turkmenistan is a secular state.
- State privilege is granted to Islam by the government and the state encourages what it conceptualises as Turkmen Islam.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Turkmenistan.
- Evaluation
 - The lack of existential recognition for belief systems and their communities in Turkmenistan demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all religious groups register with it before conducting any operations or activities, including basic religious services.
 - **Role of the SCROEERIR:** the State Commission on Religious Organisations and Expert Evaluation of Religious Information Resources (SCROEERIR) is responsible for helping registered religious organisations work with government agencies, explaining the law to

representatives of religious organisations, monitoring the activities of religious organisations to ensure they comply with the law, assisting with the translation and publication of religious literature, and promoting understanding and tolerance among different religious organisations. The law states SCROEERIR must approve all individuals appointed as leaders of religious organisations, although the law does not specify the procedures for obtaining the required approval. SCROEERIR operates under the leadership of the Grand Mufti, who is appointed by the government, as are all other senior Muslim clerics. The Deputy Chairman of the Cabinet of Ministers for education, health, religion, sports, tourism, science, new technologies, and innovation oversees SCROEERIR's work. The chairman of SCROEERIR is also the chairman of the Department for Work with Religious Organisations of the Cabinet of Ministers. One member of SCROEERIR is from the Russian Orthodox Church.

- **Procedure:** registration in Turkmenistan is oriented on a system of dual registration between the SCROEERIR and the Ministry of Justice (MOJ). Endorsement from the SCROEERIR is a necessary requirement for the MOJ to accept any applications for review.
- **First authority:** applicant groups are required to submit an application to the SCROEERIR.
 - **Informational requirements:** contact information; proof of address; a statement requesting registration signed by the founders and board members of the organisation; two copies of the organisation's charter; the names, addresses, and dates of birth of the organisation's founders.
 - **Registration fee:** initial fee starting from 300 manat (\$86); however, registration fees will increase incrementally based on the size of the group and its location in the country which are likely to then exceed the \$100 threshold set in RoRB standards.
 - **Endorsement:** the law does not specify the standards SCROEERIR uses to determine endorsement for an applicant group.

- **Secondary procedure:** when an endorsement from the SCROEERIR is obtained, the application will be submitted to the MOJ. The MOJ coordinates the necessary interministerial approval process from the majority of government ministries which is a form of multi-authorisation. The law states the MOJ will not register a religious organisation if its goals or activities contradict the constitution or if SCROEERIR does not endorse its application.
 - **Constitutional compliance:** the law assigns the Office of the Prosecutor General to monitor the compliance of a religious organisation with the constitution.
 - **Informational requirements:** the biographical information of all members of an organisation applying for registration.
 - **Qualifications:** the law states that leaders of registered religious organisations must be citizens (**nationality quota**) who have received an “appropriate religious education,” but it does not define that phrase.
 - **Subsidiary registration:** each subsidiary congregation of a registered religious organisation must also register, and the registration process is the same as that which applies to the parent organisation.
- **Legal designation:** the law assigns the legal designation “voluntary association” to religious groups when they undergo registration; voluntary associations are formed by a group of citizens affiliated with a religion.
- **Registration benefits:** authorised to conduct religious services and other rites and ceremonies, authorised to provide religious education; registered organisations are also exempt from paying taxes.
- **Reregistration:** there is a *de facto* requirement for religious groups to reregister every three years. Aside to this, whenever a religious group amends its legal charter or whenever its address is changed, the government mandates that the group must reregister.
 - *According to the Ministry of Foreign Affairs, the government allowed four religious organizations to reregister during the year, including three Muslim and one Orthodox, but religious organizations said that reregistration remained a*

challenge because of excessive bureaucratic requirements. For example, local authorities required personal information for every member, such as date of birth, place of residence, and place of work. The ministry sometimes returned applications for reasons as petty as “bad grammar.” They said a larger problem was that some religious organizations did not have places of worship, and therefore did not have legal addresses, which provided another reason for the government to deny or delay registration.

- **Membership quota:** at least 50 resident members older than the age of 18.
- **Deregistration and suspension of activities:** the law specifies a court may suspend the activities of a religious organisation if it determines the organisation to be in violation of the constitution; that suspension may only be overcome if the organisation submits documentation satisfying the court that the activities that led to suspension have been stopped. The law also states that grounds for dissolution of a religious organisation include activities “that violate the rights, freedoms, and lawful interests of citizens” or “harm their health and morale.”
- **Registration rate:** according to the Ministry of Foreign Affairs, there are 132 registered religious organisations in the country, drawn from Muslim, Christian, and other faith groups; most (109) are Muslim.
 - *Most religious leaders noted that, in general, relations with the government remained unchanged in the past year. More than one said that if the groups were registered and provided all information requested by government officials, as well as invited them to services, they were able to perform normal religious activities, including holding services and importing small amounts of religious material.*
- **Unregistration:** unregistered religious organisations and unregistered subsidiary congregations of registered religious organisations may not legally conduct religious activities; establish places of worship; gather for religious services, including in private residences; produce or disseminate religious materials; or proselytize.

- **Amendment to law:** a 2016 law on religion maintained existing bans on religious activity outside state control, imposed a higher membership threshold for the registration of religious groups, and required all registered groups to reapply for registration.
- Evaluations
 - The imposition of a mandatory registration order onto registrant religious groups is impermissible to RoRB standards.
 - The criminalisation of unregistration is impermissible to RoRB standards.
 - The misuse of deregistration to suspend the activities of religious groups the government simply does not favour based on religion or belief is impermissible to RoRB standards as a misuse of the recognition system.
 - The widespread use of a range of restriction tools is all impermissible to RoRB standards including the registration fees exceeding the RoRB standards threshold of \$100, membership quota, reregistration policy, and onerous multi-procedural registration.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Turkmenistan as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Censorship of Islam:** *the government continued its practice of approving the appointment of all senior Muslim clerics, Sunni or Shia. The Russian Orthodox Church and other religious groups continued to be financed independently; the government was not involved in appointing their leadership, but the senior Russian Orthodox priest was required to be a citizen of Turkmenistan.*

- **Foreign funding:** *the law requires religious groups to register all foreign assistance with the MOJ and to provide interim and final reports on the use of funds. The administrative code provides a detailed schedule of fines of up to 10,000 manat (\$2,900) on both unregistered and registered religious groups for accepting unauthorised funds from foreign sources.*
- **Foreign missionary activity:** *the government continued its practice of denying visas to foreigners suspected of conducting or intending to conduct missionary activity. Religious groups able to obtain religious visitor visas for foreign religious speakers said the government continued to grant such visas for very short durations and required the groups to complete burdensome paperwork. Due to COVID-19 pandemic-related border closures in place since 2020, only one known foreign religious visitor, a Russian Orthodox archbishop, was permitted to enter the country.*
 - *The law does not address the activities of foreign missionaries and foreign religious organizations. The administrative code, however, bans registered religious organizations from receiving assistance from foreign entities for prohibited activities.*
- **Government monitoring of religious activity:** *local governments have the right to monitor and “analyze” the “religious situation” within their jurisdiction, send proposals to SCROEERIR to change or update legislation on religious freedom, and coordinate religious ceremonies conducted outside of religious buildings.*
- **Hieronymy:** *the importation of religious publications or devotional items is restricted in Turkmenistan both for personal and especially for propagational use, including copies of the Bible and the Quran. Individuals and groups must gain approval from SCROEERIR before importing any religious materials. Only registered religious groups in the country may import religious literature. There are fines imposed for the importation of unauthorised religious materials.*

- According to the FedEx Cross Border global lists states that “booklets, brochures (non-adv)”, “pamphlets”, “magazines, periodicals, journals” and “publication not for public resale” are classified prohibited and any such category could be used to restrict religious materials.
- *Religious groups continued to report the government limited the importation of, and access to, religious literature; even the few groups who were successful in importing literature complained about restrictive procedures. Although by law registered religious groups were allowed to import religious literature, they said the government’s opaque procedures made it extremely difficult. The Quran remained unavailable in state bookstores in Ashgabat, although many individuals kept a Soviet-era copy in Arabic or Russian in their homes. Few translations were available in the Turkmen language. The Ministry of Foreign Affairs stated that as of November 11, it had permitted 240 pieces of religious literature from a variety of faith groups to be imported during the year.*
- **Places of worship:** the law allows local governments, with the approval of SCROEERIR, to make decisions regarding the construction of religious buildings and structures within their jurisdiction.
- *Members of various religious groups reported that the government and state-affiliated enterprises continued to interfere in the purchase or long-term rental of land and buildings for worship or meeting purposes, although religious organizations sought out few properties during the year because of COVID-19 restrictions. Some groups reported that landlords feared government reprisal if they leased properties to be used as places of worship. Some groups reported that they had secured properties, only to have landlords renege on the contracts after being instructed to do so by the government. Other groups stated attempts to purchase land or property to use as places of worship were stymied by intentional government obfuscation or flat-out denial. Registered and unregistered religious groups reported continued difficulty in renting space for holiday celebrations from private landlords, which they attributed to landlords’ concerns about potential government disapproval.*

- **Religious education and instruction:** *the law allows registered religious organisations to create educational establishments to train clergy and other religious personnel after obtaining a license to do so. The Cabinet of Ministers establishes the procedures for obtaining a license. The law also states individuals teaching religious disciplines at religious educational establishments must have a theological education and must carry out their activities with the permission of the central governing body of the religious organisation and the approval of SCROEERIR.*
 - *The law prohibits unregistered religious groups or unregistered subsidiary congregations of registered religious organizations from providing religious education. The administrative code sets out a detailed schedule of fines, ranging from 100 to 500 manat (\$29-\$140), for providing unauthorised religious education to children.*
- **Religious literature:** *the law prohibits the publication of religious literature inciting “religious, national, ethnic, and/or racial hatred,” although it does not specify which agency makes this determination. Registered religious organisations may be fined for publishing or disseminating religious material without government approval.*
- **Routine religious services:** *representatives of registered Christian groups said some government officials continued to require them to obtain approval to carry out routine religious activities, such as weekly services, as well as social and charitable activities. Some groups sought official approval of such activities, even if they did not believe that approval was required, in order to ensure the events would not be disrupted.*
 - *According to local religious community members and international advocacy groups, members of some Christian organizations continued to face harassment, raids, and house searches, usually as a result of attempting to gather together for purposes of communal worship. They reported security services interrogated members of religious organizations and demanded they provide information on their communities’ activities. Some members also reported security officials*

interrogated their friends and family members, asking about members' religious activities. Christian groups reported that Turkmen who converted from Islam experienced government scrutiny and were subject to discrimination. For example, the groups' reported converts were denied government jobs or fired from jobs based on their religion.

- Penal code
 - **Conscientious objection:** Turkmenistanis who conscientiously object to compulsory military service for religious reasons risk imprisonment, even when this objection is on religious grounds. In September 2020, Myrat Orazgeldiyev, a conscientious objector and Jehovah's Witness, was sentenced to a one-year prison term for refusing military service, despite his pleas to undertake a civilian alternative. Four other conscientious objectors had been imprisoned earlier in the year, according to the nongovernmental organisation (NGO) Forum 18.
 - **Fining system:** the administrative code covering religious organisations delineates a schedule of fines for conducting activities not described in a religious organisation's charter.
 - **Non-government harassment:** *the criminal and administrative codes provide punishment for the harassment of members of registered religious organisations by private individuals. According to the administrative code, obstructing the exercise of religious freedom is punishable by a fine of from 1,000 to 8,700 manat (\$290 to \$2,500) or detention of from 15 days to one year of "corrective labor," which involves serving in a government-assigned position in a prison near one's home or at a location away from one's home. If an obstruction involves a physical attack, the punishment may entail up to two years in prison. According to the criminal code, the fine is calculated as five to 10 times an individual's average monthly wages (4,350 to 8,700 manat or \$1,200 to \$2,500).*
 - **Religious literature:** the administrative code sets out a detailed schedule of fines, ranging from 200 to 2,000 manat

(\$57 to \$570), for producing, importing, and disseminating unauthorised religious literature and other religious materials.

- **Violation of freedom to worship:** the administrative code stipulates penalties from 200 to 500 manat (\$57 to \$140) for officials who violate an individual's right of freedom to worship or right to abstain from worship, but this has not been enforced in practice.
- **Unregistration:** punishable as an administrative offence by fines ranging from 100 to 2,000 manat (\$29 to \$570), with higher fines for religious leaders and lower fines for lay members.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Turkmenistan to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims:** Senior Muslim clerics are appointed by the government, and Muslims who do not follow the officially approved interpretation of Islam are subject to persecution, including lengthy prison terms.
- **Unregistered groups:** members of unregistered religious minority groups continue to face raids, beatings, and other forms of harassment.

Overview

- The government has established an elaborate, carefully orchestrated apparatus for the restriction of its citizens' religious lives, both at the public and private level.

- The rule of mandatory registration, particularly as it is imposed on each individual instance of religious activity, violates the Bielefeldt provision.
- The state purposes of the SCROEERIR are a mischaracterisation of the Commission; its role in reality is to ensure the perpetuation of the government's laws on religion, that these are implemented as intended; successful registration is essentially dependent upon SCROEERIR endorsement but widespread ambiguity remains as to how such an endorsement is achieved.
- The two-pronged registration procedure along with the involvement of multiple ministries makes for a terminally restrictive process; additionally restrictive is the mandate that each individual congregation or parish of the parent religious organisation must also complete registration.
- The criminal code that sets out provisions to protect religious identity and practice seem disingenuous considering the government's broader terminal approach to religion and belief.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present terminally restrictive apparatus that restricts all aspects of religious life in the society.
- Reorganise the recognition system so it extends authentic recognition to all belief systems and groups.
- Revoke all the restriction tools identified in the above analysis.

Restriction tools implemented

- Censorship of religious materials is widespread including restrictions on importation.
- False claim to freedom of religion or belief.
- Government appointment of religious leaders is a means of censorship.

- Mandatory registration for all religious groups and for individual instances of religious activity.
- Membership quotas are in effect.
- Permits for conducting religious education and the training of clergy are further restrictive.
- Religious members face beatings, police raids, harassment and arrests.
- Powers granted to local government to influence the implementation of further restrictions on religion demonstrates the depth and breath of the politicisation of religious activity.
- Private practice of religion is restricted.
- Proselytism is virtually prohibited throughout the country.
- Reregistration is in effect every three years.
- Retributions for not acting within an organisation's adopted charter include an incremental register of fines.
- Segmentation of the recognition system and its procedures.
- State definition and interpretation of religion and specifically Islam.
- Subjective language is used throughout the law to give the government widespread scope to restrict reasonable religious activity while still keeping within its prescribed laws.
- Unregistration of religious activity will inevitably lead to a series of incremental fines.

History of RoRB classification

- Turkmenistan has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Tuvalu — Restrictive

RoRB and national identity

- The Constitution of Tuvalu makes an explicit claim to freedom of religion or belief, a claim that is generally upheld by the government in practice with some infractions.
- The Church of Tuvalu (Calvinism) is the state denomination which entitles it to “the privilege of performing special services on major national events.”
- The country is not a party to the International Covenant on Civil and Political Rights.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Tuvalu.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Tuvalu demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Conditional registration:** religious groups are not required register with the government unless their adult membership exceeds at least 2% of the country’s total population according to the latest census making registration stipulatory in general terms but mandatory under certain conditions.
 - **Procedure:** the Ministry of Local Government handles religious registration procedures. The procedure involves a request submitted and signed by the head of the

organisation as well as supported signatures of five other group members (**signature quota**).

- **Qualifications:** approval must be granted by the traditional elder councils, known as falekaupule, in order for the registration procedure to be completed.
- **Membership quota:** at least six citizens are required for registration.
- **Informational requirements:** proof of the number of adherents and the name of the religious organisation.
- **Unregistration:** failure for a religious group that meets the criteria for registration to register could result in prosecution.
 - **Falekaupule mandatory registration:** under the law, all religious groups, regardless of size, must register with and obtain approval from the falekaupule of any island on which they conduct services. The law prohibits joint or public worship by religious groups not approved by these councils.
- **Denial of registration:** the law allows the falekaupule to withhold permission from certain religious groups to meet publicly, should they be judged locally to “directly threaten the values and culture of the island community.”

- Evaluations

- The imposition of a conditional registration policy is impermissible to RoRB standards; this is worsened by the mandatory registration policy imposed on religious groups to register with the falekaupule.
- The broad capabilities of the falekaupule to deny registration on subjective bases is impermissible to RoRB standards.
- The imposition of a membership quota however small is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Tuvalu as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign missionary activity:** *missionaries continued to practice without government restrictions on some islands, such as Funafuti. According to sources, on other islands, including Nanumanga, Nukufetau, and Vaitupu, formal and informal bans issued by the falekaupule remained in effect on proselytising and public worship by Jehovah's Witnesses, who were perceived to challenge traditional cultural norms.*
 - **Hierarcy:** the importation of religious materials or devotional items into Tuvalu is permitted without restriction, both for personal and propagational use. The legality for unregistered religious groups that meet the stipulated conditions for registration to import religious goods remains unclear.
 - **Private worship:** the law guarantees the right of individuals to worship freely within their own residences.
- Penal code
 - **Unapproved or unregistered group activity:** the law provides for unapproved groups to be fined up to 500 Australian dollars (\$360) if they engage in public meetings in violation of the law.

Facilitation of religion or belief

- **Ombudsmanship:** there is currently no ombudsman office established in Tuvalu to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Tuvalu for this First Edition of *Recognition of Religion or Belief*.

Overview

- Calvinism, by way of the Congregational Christian Church of Tuvalu, is the state denomination.
- Recognition and registration are differentiated yet existential recognition is given only to Calvinism; groups comprising more than 2% of the population are mandated to achieve legal registration and while falekaupule must authorise all groups, even those below the 2% threshold, this does not equate to legal registration procedure and certainly does not equate to the same recognition status as Calvinism receives; hence, a system of both partial and vertical recognition exists.
- The rule of mandatory registration, particularly with the threat of prosecution for unregistration, violates the Bielefeldt provision.
- The country's non-party status to the ICCPR is further concerning as the government's restrictive approach to religion and belief.

Positive elements

- Freedom of religion or belief is generally but by no means broadly upheld by the government in practice.

Recommendations

- Dismantlement of the present series of laws and policies restricting religious activity, especially the laws that give prime authority to falekaupule to make decisions on religious activity and the internal affairs of religious organisations; if this cannot be achieved without the disestablishment of Calvinism, then this may need to take place.
- Become party to and ratify the ICCPR.
- Revoke the rule of mandatory registration and any retributions associated with unregistration.
- Re-establish the recognition system so that its provisions are extended to all belief systems and their derivatives.

- To become classified as dynamic, establish a recognition agency that is independent of the government to manage this re-established recognition system with the assurance that politicisation of the registration procedures does not take place and that such procedures are no longer restrictive.

Restriction tools implemented

- Approval of falekaupule restricts and politicises the registration process.
- Mandatory registration for all groups representing more than 2% of the total population.
- Membership quotas are in effect for access to registration.
- Partial recognition is in effect.
- Religious activity must be approved through falekaupule.
- State denomination (as a form of state religion).
- Subjective language in the legislation allows broad scope for falekaupule to decide on what religious activities may take place.
- Unregistration is threatened with prosecution including fines for unregistered religious groups that operate public meetings.
- Vertical recognition is in effect.

History of RoRB classification

- Tuvalu has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Uganda, Republic of — Restrictive

RoRB and national identity

- The Uganda Constitution makes an explicit claim to freedom of religion or belief and although this claim is generally upheld by the government, it is sometimes infringed upon in practice.
- The Republic of Uganda is a secular state.
- The government has restricted religious groups whose members allegedly pose security risks.
- The government has also sought to control political statements by religious leaders, tolerating those who express support for President Museveni and the ruling party while subjecting those with more critical views to intimidation, harassment, and arrest.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Uganda.
 - **Misuse of the census:** *in October 2021, UMSC representatives reported that although President Museveni increased the number of Muslims in the cabinet from four to six 81 ministerial or junior ministerial positions, the government continued to use census figures that they said undercounted Muslims as a justification for underrepresentation of Muslims in government employment and limited access to government-facilitated social programs. In a December 31 address, President Museveni refuted criticisms that his government discriminated against Muslims, although he acknowledged a delay in the operationalisation of Islamic banking. He noted that his government was providing interest-free start-up capital to Ugandans, including Muslims, as well as free vocational programs and agricultural subsidies.*
- Evaluations

- The lack of existential recognition for belief systems and their communities in Uganda demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government requires religious groups to register but only if they wish to obtain legal entity status.
 - **Legal designation:** the primary legal designation for religious organisation in Uganda is nonprofit organisation.
 - **Procedure:** the Uganda Registration Services Bureau deals with religious registration in the country and administers the registered status through five-year operating licences (**fixed-term registration as a form of temporary registration**) from the Ministry of Internal Affairs.
 - **Operating licences:** operating licences are not ideal in RoRB standards; such licences are vulnerable to misuse to the detriment of FoRB conditions meaning they are not recommended. The fact that the Ugandan system is not operated equally and only offers operating licences to established religious groups (including the Catholic, Anglican, Orthodox, and Seventh-day Adventist Churches and the UMSC) highlights nefarious intent to limit new religious movements and other unfavoured religious or belief groups from registering successfully, hence making Ugandan system's use of operating licences restrictive by nature.
 - **Informational requirements:** a copy of a land title or proof of ownership of premises, a copy of the board resolution to start a faith-based organisation, a copy of the memorandum and articles of association spelling out what the organisation intends to do, allotment of shareholding, and copies of the national identity cards of the directors.
 - **Registration benefits:** the Income Tax Act exempts registered religious groups and their nonprofit activities from direct taxation.

- **Disbandment:** *on August 20 2021, the government suspended 54 NGOs, including some faith-based aid groups, for failure to comply with registration requirements. The suspended organizations included the Islamic Da-awah and Orphanage Foundation, the St. Francis Foundation for the Poor, Jesus Shines Youth Ministries International, and Rays of Hope for Uganda. Pastor Michael Kyazze, the founder of Omega Healing Center in Kampala, stated, “The registration process requires NGOs to go through security agencies, such as the Internal Security Organization, to vet them.”*
- Evaluations
 - The imposition of a stipulatory registration policy in Uganda is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
 - There are ongoing issues with the informational requirements requested as part of registration procedures, namely with the request for the national identity cards of directors which indicates that all directors need to be Ugandan citizens, a stipulation that is impermissible to RoRB standards.
 - The imposition of operating licences is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Uganda as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Uganda is permitted without restriction, both for personal and propagational use.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Uganda’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Uganda to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Muslims:** *A series of Muslim clerics have been murdered in recent years, and the investigations into the crimes have not yet led to any convictions.*

Overview

- Recognition and registration are to some degree differentiated but not entirely; a form of indirect existential recognition is provided to four Christian denomination and one Islamic council by the fact that they need not obtain operating licences; legal registration is offered to all other groups but its meaning remain ambiguous.
- The lack of distinction between religious entity registration and secular entity registration is an issue as it is advised that these two forms of registration remain distinguished.
- Furthermore, the requirement to gain approval from two separate government departments is restrictive, particularly concerning is the need for groups to gain a five-year operating license; the fact that some religious groups deemed “traditional” or “established” are not mandated to obtain operating licence demonstrates the existence of discrimination and inequality within the present recognition system and creates a situation of partial recognition.
- The rule of mandatory registration violates the Bielefeldt provision.

Positive elements

- Freedom of religion or belief is generally, though not broadly, upheld in practice by the government.

Recommendations

- Revoke mandatory registration and resolve the various internal issues of the recognition system.
- Establish a revitalised recognition system that provides both existential and legal registration to all belief systems and their derivatives; this should also resolve the issue of there being a lack of distinction between religious and secular entity registration.

Restriction tools implemented

- Ambiguity and lack of clarity on certain issues of religious activity persist in the legislation.
- Mandatory registration.
- Licensing restriction tool.
- Partial recognition is in effect.
- Religious favouritism.
- Unstructure has caused issues with a lack of provisions for existential recognition, a lack of distinction between religious and secular entity registration procedures, and a lack of clarity as to what the different forms of registration mean.

History of RoRB classification

- Uganda has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Ukraine — Restrictive

RoRB and national identity

- The Constitution and a 1991 law define religious rights in Ukraine and makes an explicit claim to freedom of religion or belief which the government generally upholds in practice although has been known to infract upon.
- Ukraine is a secular state.
- The ongoing Russian invasion of Ukraine puts RoRB and FoRB conditions in jeopardy; if the Russian Federation is successful in its endeavour to occupy the whole of Ukraine, it is likely that the recognition system of Ukraine and its FoRB conditions would resemble Russia's due to the tendency for Russia to engage in the exportation of its human rights practices to other countries (e.g. Abkhazia, Crimea, Eastern Donbas and the countries of Central Asia).
- The 2022 RoRB Index classification of Ukraine is based on the actions and policies of the Zelenskyy government which, as of the writing of this First Edition of *Recognition of Religion or Belief*, remains in power in the majority of Ukrainian territory. Any future occupation of Ukraine by the Russian Federation would likely see the country's reclassification to a lower category in the SRR.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Ukraine.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Ukraine demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not mandate that religious groups with it, there are some activities listed as registration benefits that are classified as “basic religious activities” by RoRB standards meaning that they should not need require registration in order to be freely conducted, in effect making the Ukrainian registration procedures pseudo-mandatory.
 - **Legal designation:** the primary legal designation for religious groups is religious organisation. Religious organisations include congregations, theological schools, monasteries, religious brotherhoods, missions, and administrations of religious associations consisting of religious organisations.
 - **Procedure:** an organisation must register either with the Ministry of Culture and Information Policy, which replaced the Ministry of Culture, Youth, and Sport during the year, the government agency responsible for religious affairs, or with regional government authorities, depending upon the nature of the organisation.
 - **Central registration:** religious centres, administrations, monasteries, religious brotherhoods, missions, and religious schools register with the Ministry of Culture and Information Policy.
 - **Local registration:** religious congregations register with the regional authorities where they are present. While these religious congregations may form the constituent units of a nationwide religious organisation, the nationwide organisation does not register on a national basis and may not obtain recognition as a legal entity; rather, the constituent units register individually and obtain legal-entity status. In accordance with the stipulation against national registration, only a registered constituent unit of a nationwide religious organisation may own property or conduct business activities, either for itself or on behalf of the nationwide organisation.

- **Membership quota:** for a religious congregation, at least 10 adult members.
- **Informational requirements:** statute (charter), certified copies of the resolution that created it and was adopted by founding members, and a document confirming its right to own or use premises.
- **Registration benefits:** may own property, conduct banking activities, be eligible for utility bill discounts, join civic or advisory boards of government agencies, or establish periodicals, nongovernmental pension funds, officially accredited schools, publishing, agricultural and other companies, or companies manufacturing religious items; exemption from tax is another benefit although can only be achieved through a separate procedure from that of registration.
- **Secondary procedure for non-profit status:** registered religious groups wishing to acquire nonprofit status, which many do for banking purposes, must register with tax authorities.
- **Unregistration:** religious groups without legal-entity status may meet and worship and may also publish and distribute religious materials.
- **Reregistration:** *2019 amendments to the laws on the freedom of conscience and religious organisations and on state registration of legal entities, natural persons, and civic organisations direct regional governments' religious affairs departments to enter religious organisations into the State Register of Legal Entities database, in addition to registering their statutes. They require all religious organisations to update and reregister their statutes by January 31, 2020. The amendments also specify reregistration requirements for organisations that wish to change their affiliation, particularly UOC-MP parishes seeking to join the OCU. The amended law requires a quorum, as defined by each congregation and usually comprising two-thirds or three-fourths of a religious organisation's members, to decide on a change of affiliation. The law also requires a vote by two-thirds of those present to authorise such a decision. The law bans any transfer of an organisation's property until the affiliation change is finalised.*

- *Oblast-level religious affairs departments were still unable to meet the one-year registration deadline for congregations under the amended 2019 registration law, partly due to a lengthy restructuring of the Ministry of Culture and Information Policy in 2020, including a transition from the Department for Religions and Nationalities to the DESS. The law did not include a penalty for missing a reregistration deadline. According to the Institute of Religious Freedom, congregations reregistered their statutes according to the new law when they needed to amend their statutes.*
- Evaluations
 - The imposition of a pseudo-mandatory registration policy is impermissible to RoRB standards.
 - The imposition of a membership quota onto registrant religious groups is impermissible to RoRB standards.
 - The reregistration order imposed in 2019 is permissible to RoRB standards due to the necessity for religious organisations to change their affiliations away from the UOC-MP towards OCU in accordance with events in church occurs during the period.
 - The localisation of registration procedures creates unnecessary onerousness and is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Ukraine as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hierony:** the importation of religious materials or devotional items into Ukraine is permitted without restriction, both for personal and propagational use.

- **Restitution:** *all major religious organizations continued to appeal to the government to establish a transparent legal process for addressing property restitution claims. According to observers, the government made little progress on unresolved restitution issues during the year. Representatives of some organizations said they experienced continuing problems and delays reclaiming property seized by the former Communist regime and said a review of claims often took far longer than the month prescribed by law. Christian, Jewish, and Muslim groups stated several factors continued to complicate the restitution process, including inter-community competition for particular properties, current use of some properties by state institutions, the designation of some properties as historic landmarks, local governments disputing jurisdictional boundaries, and previous transfers of some properties to private ownership.*
- Penal code
 - There is insufficient information about Ukraine’s penal code as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Facilitation of religion or belief
 - **Ombudsmanship:** the Commissioner for Human Rights was instituted in 1998 and acts as the ombudsperson in Ukraine; the latest appointee is Lyudmyla Denisova who was elected by the Ukrainian Parliament in 2018.

Social dimensions of RoRB

- **Atheists:** acknowledging one’s atheism may result in discrimination.
- **Jehovah’s Witnesses:** *in July 2021, the Kryvyi Rih City Council approved a change to a zoning plan in favour of designating land for Jehovah’s Witnesses to use for a Kingdom Hall. This decision resulted from a 2019 ECHR judgment that ruled against deputies of*

the Kryvyi Rih City Council who had refused to lease land to Jehovah's Witnesses for the Kingdom Hall's construction.

- **Jews:** vandalism of Jewish structures and cemeteries continues.
 - *Jewish community leaders continued to report illegal construction on the site of the old Jewish cemetery in Uman, where businesspersons had purchased old houses bordering the cemetery to demolish them and build hotels for Jewish pilgrims. According to news reports, developers had reportedly made deals with local government officials to obtain building permits. A representative from the Uman mayor's office said in October that the government could not stop the sale of or ban digging on privately owned land and that it was impossible to stop illegal construction. The official said, however, that the government had not issued new building permits and had agreed not to sell any municipality-owned cemetery property.*
- **Minority groups:** smaller religious groups continue to report some discrimination.
- **Orthodox Christians:** *in February 2021, UOC-MP-associated media reported local supporters continued to face resistance from the Zolochiv Municipal Council, Lviv Oblast to their request to build a church in the town. On March 9, an administrative court ruled against Zolochiv authorities' request that the court declare the construction of the parish church illegal. On March 12, the Zolochiv regional police department closed criminal proceedings against local deputies accused of "hooliganism" and "inciting religious hatred" in connection with the construction. Lawyers for the UOC-MP said they believed that the closure of the criminal case indicated local authorities had improperly pressured the investigators and said they planned to appeal. In 2020, the Zolochiv Municipal Council refused to allow the construction on the grounds that many UOC-MP representatives had supported Russia's war against the country.*

Overview

- Recognition and registration are differentiated, however, there exists a focus on the latter as legal registration in the law while

the former as existential recognition is less definitive in how it is achieved.

- The registration process is convoluted especially regarding that registration can be conducted with two different ministries; requires streamlining; adding further complexity to the registration process is the need for separate registration to acquire nonprofit status which highlights how religious and secular entity registration in this particular regard are not sufficiently distinguished from one another.
- A reregistration law was imposed due to the effects of the politicisation of religion whereby the OCU was granted autonomy from the UOC-MP.
- Issues of ongoing discrimination against atheists and the vandalism of Jewish sites need to be resolved through establishing a more robust recognition system whose authority should be affirmed in order to protect minorities and other vulnerable groups from discrimination.

Positive elements

- Freedom of religion or belief is generally thought not broadly upheld by the Ukrainian government.
- The Ukrainian provides opportunity for registration a multiple levels of activity.

Recommendations

- Dissolve membership quotas and the segmented structure of the recognition system.
- Establish more definitive procedures for existential recognition.
- Reduce the convolution within the present procedures for registration as minor issues within the present system.
- Procedures for registration and recognition should be inclusive of all belief systems.
- Also to be classified dynamic, a recognition agency would need to be established that is independent of government control.

Restriction tools implemented

- Membership quotas are in effect.
- Normativism exists within the society.
- Segmentation is in effect.
- Stipulatory registration.
- Unstructure issues persist in the system.

History of RoRB classification

- Ukraine was originally classified Restrictive as part of the 2021 RoRB Index.
- However, with the greater focus placed on determining SRR classification by using the “basic religious activities” framework, Ukraine is reclassified in the 2022 RoRB Index as Restrictive based on the fact that registration of a religious organisation in Ukraine is a prerequisite to the organisation’s ability to conduct some activities that are classified “basic” in RoRB standards and therefore should not require registration before they may be freely conducted.

United Arab Emirates — Terminal

RoRB and national identity

- The Constitution of the United Arab Emirates makes a partial claim to freedom of religion or belief under the caveat that such freedoms do not contravene “established customs” or violate “public policy” and “public morals”.
- The Constitution of the United Arab Emirates (UAE) establishes Islam as the state religion although no specification is given as to a particular denomination.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Islam in the UAE; this demonstrates the UAE recognition system as hypervertical.
- Evaluations
 - The lack of existential recognition in the UAE for any denomination other than Islam is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Pseudo-mandatory registration:** although the government does not mandate that religious groups with it, there are some activities listed as registration benefits that are classified as “basic religious activities” by RoRB standards meaning that they should not need require registration in order to be freely conducted, in effect making the Emirati registration procedures pseudo-mandatory.

- **Registration benefits:** opening a bank account or renting space for religious services.
 - **Provincialisation:** each emirate oversees registration and licensing of non-Muslim religious organisations and the process differs by emirate, organisation, and circumstance.
 - **Crypto-registration:** registration procedures are not published by the Emirati government.
 - **Mandatory permits:** in Dubai, religious organisations are required to obtain a license from the Community Development Authority (CDA). The governments of the emirates of Abu Dhabi and Dubai also require religious communities to obtain permits for certain activities, including holding public events and worshipping in temporarily rented spaces, such as hotels.
- Evaluations
 - The imposition of a pseudo-mandatory registration policy in the UAE is impermissible to RoRB standards.
 - The imposition of mandatory permits is impermissible to RoRB standards.
 - The imposition of a crypto-registration policy is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in the UAE as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Blasphemy law:** the law prohibits blasphemy, defined as any act insulting God, religions, prophets, messengers, holy books, or houses of worship.
 - The law also prohibits “abusing” a holy shrine or ritual of any religion, insulting any religion, inciting someone to commit sin or contravene national values, labelling

someone an infidel or unbeliever, and forming groups or holding meetings with the purpose of provoking religious hatred.

- **Criticism of religion:** publications: the law prohibits any form of expression, including through broadcasting, printed media, or the internet, that the government determines is contradictory to Islam as well as literature it deems blasphemous or offensive toward religions.
- **Foreign missionary activity:** *in February 2021, the Dubai CDA granted an official license to the Jewish congregation “Gates of the East,” making it the first and only Jewish congregation with CDA recognition. Official recognition allowed the group to secure religious worker visas. According to local sources, at year’s end, discussions between the congregation and the government on plans to build a physical synagogue in Dubai were ongoing, and the congregation continued to rent hotel rooms for worship.*
- **Hierarcy:** the importation of non-Islamic religious materials or devotional items into the United Arab Emirates is restricted, especially for religious texts intended for propagational use as there is an ongoing ban on all forms of non-Islamic proselytism. It is likely that the National Media Council will require preapproval of all religious goods to enter the country. Rules for the importation of religious goods may vary for each emirate. Religious goods intended for personal use will be permitted.
 - According to the International Trade Administration, “any item used in black magic, witchcraft, or sorcery” are prohibited. This prohibition could be used to prohibit the importation of neopagan items or items of new religious movements. Also
 - According to the International Trade Administration, “items that contradict Islamic faith and public morals” are prohibited from importation. According to the FedEx Cross Border global lists, “items that are offensive to Muslim culture” and “items that do not adhere to religious, morals or aims to cause corruption and disorder”.

- According to the FedEx Cross Border global lists, “status of any kind” are prohibited. The Customs Director would have to provide approval for the importation of statues. Individuals or groups wishing to import statues must write to the Customs Director requesting special permission.
- **Places of worship:** the federal government has also granted some religious organisations land in free-trade zones, where they legally registered by applying for a trade license that allows them some operational functions. Christian, Hindu, and Sikh places of worship have been built on plots of land donated by ruling family members.
- **Preaching:** the General Authority of Islamic Affairs and Endowments provides regular guidance to Muslim preachers; it and a Dubai counterpart appoint the country’s Sunni imams. Shiite clergy have their own council to manage religious affairs.
- **Religious conversion:** the law does not directly prohibit Muslims from converting to other religions but the penal code’s blasphemy provisions punish behavior viewed as contemptuous of the Quran and the Prophet Muhammad or offensive to Islamic teachings which could be interpreted to include conversion from Islam.
- **Religious symbols:** the federal law prohibits churches from erecting bell towers or displaying crosses or other religious symbols on the outside of their premises, although they may place signs on their properties indicating they are churches.
- Penal code
 - **Blasphemy:** offenders are subject to imprisonment for five or more years and fines from 250,000 dirhams (\$68,100) to two million dirhams (\$545,000); non-citizens may be deported.
 - Offenders are subject to fines up to two million dirhams (\$545,000) and imprisonment that generally ranges from five to 10 years or more.

- **Proselytism:** the law provides for imprisonment of up to five years for preaching against Islam or proselytising to Muslims.
- **Sorcery, black magic and incantations:** the law prohibits black magic, sorcery, and incantations, which are punishable by a prison term ranging from six months to three years and deportation for non-citizens.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in the United Arab Emirates to investigate cases of human rights violation in the country.
 - **Outreach:** *prominent government figures routinely acknowledged minority religious holidays and promoted messages of tolerance through various print and media platforms. In September, Minister of Foreign Affairs and International Cooperation Abdullah bin Zayed al-Nahyan extended New Year's greetings to the country's Jewish community on social media on Rosh Hashanah. In November, Vice President of the UAE and Ruler of Dubai Mohammed bin Rashid al-Maktoum and Crown Prince of Abu Dhabi Mohammed bin Zayed al-Nahyan publicly commemorated the Hindu festival of Diwali.*
 - **Religious leadership:** Pope Francis became the first Roman Catholic pontiff to visit the Arabian Peninsula when he traveled to the UAE in 2019 as part of a bid by Emirati officials to emphasise the country's religious tolerance.

Social dimensions of RoRB

- **Christians, Jews and Muslims:** the authorities announced plans to open an Abrahamic Family House, to include a mosque, a church, and a synagogue, in 2022.
- **LDS Church:** *in September 2021, the Church of Jesus Christ began consultations for official recognition from the Dubai CDA in anticipation of building a temple in the emirate on government-*

granted land at what will be the former site of Expo 2020 following that event's conclusion in 2022. Consultations remained ongoing and the Church of Jesus Christ had not yet submitted a formal application at year's end. Church officials toured the site in October. The Church continued to maintain a chapel in Abu Dhabi.

- **Non-citizen Shiite Muslims:** there have been some allegations of non-citizen Shiite Muslims facing discrimination or deportation in recent years.

Overview

- State religion is Islam.
- Recognition and registration are differentiated, however, existential recognition is provided only to Islam, the Muslim community, and Islamic organisations that the government approves of; registration is offered sparingly to non-Islamic groups; this creates a situation of partial recognition in the country.
- Procedures for registration remain undetermined due to the government's publish its registration criteria.
- The segmentation of registration procedures immediately causes issues of restriction, imbalance of recognition statuses and contradictions in the law.
- The rule of mandatory registration, including mandatory permits and licenses to conduct basic religious activities, violates the Bielefeldt provision.
- The laws set in place to protect against desecration, labelling of someone as an infidel etc. seem to primarily protect Islamic groups.

Positive elements

- Nil.

Recommendations

- Establish a reorganised recognition system that has jurisdiction nationwide in order to resolve issues of segmentation; also, this recognition system would be able to extend existential recognition and legal registration to all belief systems and their derivatives without discrimination.
- Revoke present laws on blasphemy, conversion and proselytism that restrict expression and declarations of belief.
- Dismantlement of the present apparatus that terminally restricts the ability of non-Islamic and especially non-Abrahamic groups from practicing.

Restriction tools implemented

- Ambiguity and a lack of clarity are persistent issues within the recognition system which make registration highly restricted.
- Blasphemy laws are in effect with retributions include long-term imprisonments and large fines as well as deportation for non-citizens.
- Conversion from Islam is criminalised under laws on blasphemy.
- Licensing restriction tool.
- Nationwide ban on expressions contrary to Islam, both in printed media and on digital platforms.
- Partial recognition is in effect.
- Proselytism of Muslims is criminalised with long-term imprisonment.
- Registration is essentially mandatory for religious organisation to conduct any type of activity.
- Segmentation is in effect which exerts a further layer of restriction on the registration process.
- State religion is in effect.
- Unstructure exists throughout the recognition system which makes gaining any semblance of recognition or registration difficult for non-Islamic groups.

History of RoRB classification

- The United Arab Emirates has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

United Kingdom of Great Britain and Northern Ireland (only pertaining to England, Crown Dependencies and British Overseas Territories) — Restrictive

RoRB and national identity

- Anglicanism, specifically the Church of England, is the state denomination of England, Jersey, Guernsey and the Isle of Man and the Monarch is the head of the Church.
- Freedom of religion or belief is protected in law and practice equating to an explicit claim to freedom of religion or belief.
- The United Kingdom is largely a secular state as three out of the four countries of the United Kingdom run as secular democracies.
- A 2006 law bans incitement to religious hatred, with a maximum penalty of seven years in prison.
- Percolative recognition is in effect in the territories of the Guernsey, Isle of Man and Jersey (although these are not officially part of the United Kingdom) while non-percolative recognition is generally in effect for British Overseas Territories including Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn Islands, Saint Helena, Ascension and Tristan da Cunha, and Turks and Caicos Islands which have their own procedures for religious recognition, all of which are classified as apathetic.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than the Church of England in England.
 - **Religion on the census:** *the 2021 Census in England and Wales contained the question, “What is your religion?” Humanists UK, which had unsuccessfully lobbied the government to change the wording, stated this was a leading*

question and urged participants who did not believe in or practice a religion to select “no religion.” On the group’s website, it wrote, “The results of the Census are used to make decisions about everything from the types of new schools to open to the types of emotional support offered in hospitals, so it really matters. We want people’s answers to reflect what they truly believe.”

- Evaluations
 - The lack of existential recognition in England for any denomination other than Church of England is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration for places of worship:** by law, the General Register Office for England and Wales governs the registration and legal recognition of places of worship in England and Wales. Registration is not compulsory, but it provides certain financial advantages and is also required before a place of worship may be registered as a venue for marriages.
 - **Procedure:** a representative of the congregation, for example, a proprietor, trustee, or religious head, must complete and submit an application form. The General Registrar Office typically provides registration certificates to the local superintendent registrar within 20 working days. The law also states buildings, rooms, or other premises may be registered as meeting places for religious worship upon payment of a fee; the General Register Office for England and Wales keeps a record of the registration, and the place of worship is assigned a “worship number”.
 - **Registration fee:** pay a fee of 29 pounds (\$39) to a local registrar.

- **Registration benefits:** registered places of worship are exempt from paying taxes and benefit from participating in the country's Gift Aid²⁷ program.
 - This law only applies in England and Wales and does not cover the Church of England or the Church in Wales.
- Evaluations
 - The imposition of a stipulatory registration policy in England is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of "basic religious activities" as defined by RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in England as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Broadcasting:** *citing a limited broadcast spectrum, the law prohibits religious groups from holding national radio licenses, public teletext licenses, more than one television service license, and/or radio and television multiplex licenses, which would allow a group to offer multiple channels as part of a single bundle of programming.*
 - **Foreign missionary activity:** *the law requires visa applicants wishing to enter the country as "ministers of religion" to have a certificate of sponsorship for their job from a bona fide religious organization, proof of their knowledge of English, personal savings, and a travel history over the last year. The law defines*

²⁷ Gift Aid allows charities to claim back the 25 percent basic rate of tax already paid on donations by the donor, boosting the value of a donation by a quarter.

“minister of religion” as a religious functionary whose main regular duties include leading a congregation in performing the rites and rituals of the faith and in preaching the essentials of the creed. “Minister of religion” includes anyone doing preaching and pastoral work or coming to the country as missionaries or members of religious orders.

- **Hieronymy:** the importation of religious materials or devotional items into the United Kingdom is permitted without restriction, both for personal and propagational use. These rules also apply to all British Overseas Territories.
- **Marital law:** English law maintains that a legal marriage must take place in a registered place of worship or registry office.
- **Pastoral services:** *the military generally provided adherents of minority religious groups with chaplains of their faith. There were approximately 240 recruited chaplains in the armed forces, all of whom were Christian. The armed forces also employed five civilian chaplains as full-time civil servants to care for Buddhist, Hindu, Sikh, Jewish, and Muslim recruits.*
- **Personal status law:** *an estimated 30 sharia councils operate parallel to the national legal system. They adjudicate Islamic religious matters, including religious divorces, which are not recognized under civil law. Participants may submit cases to the councils on a voluntary basis. The councils do not have the legal status of courts, although they have legal status as mediation and arbitration bodies. As such, rulings may not be appealed in the courts.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of England’s penal code.
- Facilitation of religion or belief

- **Ombudsmanship:** the ombudsperson of England is attached to Westminster Parliament and will mainly investigate claims to maladministration that have resulted in “unremedied injustice”. There are separate ombudspersons for the devolved administrations in Northern Ireland, Scotland and Wales.

Social dimensions of RoRB

- **Humanists:** *Humanist UK stated nonreligious belief marriages, which are legally recognized in Scotland and Northern Ireland, should also receive legal recognition in England and Wales. Humanist UK said the state should increase the availability of non-pastoral support in prisons and hospitals.*
- **Muslims:** *nevertheless, minority groups, particularly Muslims, continue to report discrimination, harassment, and occasional assaults. In October 2020, the Home Office reported 105,000 hate crimes in England (barring Greater Manchester) and Wales during its 2019–20 reporting period, an eight percent increase over 2018–19. Muslims have been reluctant to discuss religious subjects or their identity in some settings, especially in the classroom, due to Prevent, a strategy designed to divert individuals vulnerable to terrorist or extremist recruitment. Educators and human rights groups have criticized the policy for forcing Muslims to self-censor, for fear of being referred to the program.*

Overview

- Anglicanism is the state religion of England, Jersey, Guernsey, and Isle of Man; Calvinism, by way of the Church of Scotland, is Scotland’s national church (though not state religion); Wales, Northern Ireland, and remaining overseas territories remain secular.
- Recognition and registration are differentiated, however, the former a existential recognition is provided only to Anglicanism by way of the Church of England while all other religious groups are left with only a semblance of recognition through registration as a charity which the Charity Commission has itself stated does

not equate to government recognition of the belief system to which organisation classified as charitable is affiliated; in achieving charity status, there is a convoluted application process that applies narrow understandings of what religious belief is and also asks for conformity to the concept of “advancement of religion.”

- There does not exist an official recognition system for belief systems.
- Heavy reliance for any semblance of recognition is placed on the census and the Charity Commission’s designation as a charity and therefore tax-exempt.
- Provisions are set out for the registration of individual places of worship.
- Due to Anglicanism’s place as the state denomination, a situation of partial recognition is in effect as a result because although religious organisation may gain charity status, none have the opportunity to gain the same degree of recognition bestowed to Anglicanism.
- The Equality Act 2010 protects, as religions, only the Baha’i Faith, Christianity, Buddhism, Hinduism, Islam, Jainism, Judaism, Rastafarianism, Sikhism, and Zoroastrianism; humanism and atheism are given as examples of protected philosophical beliefs under this act.
- Percolative recognition, whether this be for charity status or existential recognition, does not currently apply to UK overseas territories because firstly, those territories have their own registration procedures for charities and secondly, UK law itself does not provide distinct procedures for the registration or recognition of religious groups.

Positive elements

- Freedom of religion or belief is universally upheld in practice by the government.

Recommendations

- Establish a formal recognition system to set out provisions for both existential recognition for belief systems, denominations,

communities based on a shared belief identity and legal registration for parishes to add to the existent provisions for individual religious buildings.

- Restructure the restrictive laws on nuptial rites, namely making registration of places of worship a prerequisite for a marriage to be legal.
- To become Dynamic, establish a recognition agency that is independent of government control but nonetheless reports to government and possesses the same authority as government in its area of speciality, namely the management of the religious recognition system.

Restriction tools implemented

- Ambiguity remains in the law regarding registration and recognition.
- Partial recognition is in effect.
- State definition and interpretation of religion (in the context of the application process for charity status).
- State denomination (as a form of state religion).
- Stipulatory registration.
- Unstructure exists within the system which has led to a lack of distinct provisions for religious entities to gain both legal registration as such and to gain a sense of existential recognition; rising rates of hate crime and ongoing reports of discrimination and both online and offline abuse directed towards religious persons, especially minorities, are signs of a severe lack of provisions put in place by UK law for religious recognition.

History of RoRB classification

- The United Kingdom has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

United States of America (including Puerto Rico) — Apathetic

RoRB and national identity

- The United States has been secular ever since its founding with values against establishment of religion enshrined to the U.S. Bill of Rights.
- The Constitution makes an explicit claim to the free exercise of religion and there are no direct government subsidies to houses of worship.
- Percolative recognition is in effect for Guam, Northern Mariana Islands, Puerto Rico, United States Virgin Islands; non-percolative recognition is in effect in American Samoa.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in the United States.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in the United States demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** religious groups are not required to register with the state or federal government in order to conduct “basic religious activities”.
- Evaluations

- The imposition of a stipulatory registration policy in the United States is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in the United States as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hierony**: the importation of religious materials or devotional items into the United States is permitted without restriction, both for personal and propagational use.
 - According to the FedEx Cross Border global lists, any “merchandise” which could include religious materials and devotional items produced in countries under U.S. sanction or embargo are prohibited. This includes items produced in or attempted to be imported from Cuba, Iran, Myanmar, North Korea, Sudan, Syria, Turkey and possibly Venezuela.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of United States’ penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: the United States Congress serves as a federal-level ombudsperson in the United States.

Social dimensions of RoRB

- *The debate over the role of religion in public life is ongoing, however, and religious groups often mobilise to influence political discussions on the diverse issues in which they take an interest. The Supreme Court regularly adjudicates difficult cases involving the relationship between religion and the state. In 2020, multiple state and local governments imposed restrictions on the size of religious gatherings to slow the spread of the coronavirus, prompting legal challenges. The Supreme Court issued somewhat conflicting rulings on the subject, though the restrictions in question differed in their details: in May and July the justices upheld attendance limits in California and Nevada, respectively, but in November the court—with a newly appointed justice reinforcing the conservative majority—struck down a New York order that strictly capped the number of congregants allowed to attend religious services in high-risk areas. Hate crimes based on religion are generally prosecuted vigorously by law enforcement authorities. Federal Bureau of Investigation (FBI) statistics for 2019, released in November 2020, showed an increase of more than 6 percent in such crimes from 2018; incidents involving Jewish targets rose 14 percent and constituted over 60 percent of the year’s religion-based hate crimes. Anti-Muslim crimes were the next most common; Christian churches with predominantly Black congregations have also experienced attacks in recent years.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; the focus is entirely placed on legal registration specifically with the IRS for the goal of tax-exempt status; there are no procedures for the existential recognition of belief systems or their derivatives.
- Unstructure exists within the system which has led to a lack of distinct provisions for religious entities to gain both legal registration as such and to gain a sense of existential recognition; rising rates of hate crime and ongoing reports of discrimination and both online and offline abuse directed towards religious persons, especially minorities, are signs of a severe lack of provisions put in place by US law for religious recognition.

Positive elements

- Freedom of religion or belief is universally upheld in practice by the government.

Recommendations

- Establish a formal recognition system to set out provisions for both existential recognition for belief systems, denominations, communities based on a shared belief identity and legal registration for parishes to add to the existent provisions for individual religious buildings already in place.
- To become Dynamic, establish a recognition agency that is independent of government control but nonetheless reports to government and possesses the same authority as government in its area of speciality, namely the management of the religious recognition system.

Restriction tools implemented

- Stipulatory registration.
- Unstructure exists within the US approach to religious recognition.

History of RoRB classification

- The United States has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Uruguay, Oriental Republic of — Apathetic

RoRB and national identity

- The Constitution of Uruguay makes an explicit claim to freedom of religion or belief, a claim that the government broadly upholds in practice.
- The Oriental Republic of Uruguay is a secular state.
- The government extends state privilege to Christianity and Christian groups over non-Christian groups.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Uruguay.
 - **State privilege:** *some non-Christian minority religious groups reiterated they believed the government favored Christians, as evidenced by the government's renaming Christian holidays as official secular holidays, thereby automatically granting Christians time off from work to observe their holidays. The government, however, continued to not designate holidays of other religious groups as official holidays, making it necessary for followers of other religions to request a day off to observe their holidays.*
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Uruguay demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration

- **Stipulatory registration:** the government does not mandate that religious groups register with it in order to conduct basic religious activities. The registration process is amalgamated with that of recognition in Uruguay.
 - **Procedure:** the Ministry of Education and Culture handles the registration of religious groups in Uruguay. The primary process within this procedure of registration is certification.
 - **Legal designation:** registered religious groups are legally classified as non-profit organisation.
 - **Registration benefits:** financial and legal benefits and services, recognition from the state and tax reductions.
 - **Tax exemption:** religious groups are entitled to property tax exemptions only for their houses of worship. To receive exemptions, a religious group must apply to, and be approved by, the Ministry of Education and Culture (MEC) as a registered nonprofit organisation. The ministry routinely approves these registrations, after which the group may request a property tax exemption from the taxing authority, usually the local government.
- Evaluations
 - The imposition of a stipulatory registration policy in Uruguay is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
 - The legal designation for religious organisations in RoRB is belief-based organisation (BBO) in order to distinguish between belief-based and secular organisations.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Uruguay as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity

- **Hieronymy:** the importation of religious materials or devotional items into Uruguay is permitted without restriction, both for personal and propagational use.
 - According to the FedEx Cross Border global lists, “books: hardback/paperback non-comm” and “magazines, periodicals, journals” are prohibited which could potentially be used to restrict religious publications.

- **Pastoral services and religious spaces:** *religious leaders praised the correction authority protocol standardising access to religious counselling and religious meeting spaces and expressed the need to have similar protocols for other institutions. Several prisons in the country have a dedicated space for religious practice.*

- **Religious education:** *with the stated goal of increasing understanding of the country’s religious diversity, representatives of several religious communities, including Catholics, evangelical Protestants, Muslims, Brahma Kumaris, the Unification Church, Methodists, and the Church of Jesus Christ, continued to request the government include in the public school curriculum comprehensive information about different religions with a presence in the country.*

- **Religious workers and missionaries:** religious workers must provide proof of certification from their affiliated religious institution to confirm the applicant’s identity and to guarantee financial support of the sponsoring religious group. According to regulations, the state must enforce these standards equitably across all religious groups.

- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Uruguay’s penal code.

- Facilitation of religion or belief

- **Ombudsmanship:** the ombudsperson for Uruguay was first elected in 2012 and the formal name for the institution of which the ombudsperson is part is the Institute for Human Rights and Ombudsman.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Uruguay for this First Edition of *Recognition of Religion or Belief*.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; there exists provisions for the latter as legal registration yet few to none for the former as existential recognition; registration entails financial benefits, tax reductions and exemptions, as well as “recognition” although what the latter entails remains ambiguous and does not necessarily equate to the same recognition referred to throughout recognitionist theory.
- Procedures for religious group registration, specifically for property tax exemption, look to be amalgamated with procedures for secular entities which is not advisable as distinct procedures for these two types of entities is preferred.

Positive elements

- Freedom of religion or belief is broadly upheld in practice by the government.

Recommendations

- To become Receptive, establish a reorganised recognition system that has the capacity to provide both existential recognition as well as legal registration to all belief systems and their derivatives and at multiple levels of activity.
- To be classified Dynamic, establish a recognition agency that works independently of the government to manage the

reorganised recognition system; to vest its authority within the agency, the government can establish it but then the government must relinquish its control of the agency afterwards to ensure the agency's autonomy from government and thereby from politicisation.

Restriction tools implemented

- Stipulatory registration.
- Unstructure exists in the system which has led to a lack of provisions for of existential recognition and also aspects of religious activity such as proselytism remain unaddressed in law.

History of RoRB classification

- Uruguay has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Uzbekistan, Republic of — Terminal

RoRB and national identity

- The Constitution of Uzbekistan makes an explicit claim to freedom of religion or belief, although this right is systematically infringed upon by the government in practice.
- The Republic of Uzbekistan is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Uzbekistan.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Uzbekistan demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the Uzbek government mandates that all religious groups register with its Ministry of Justice. A religious group may not carry out any kind of activity without first undergoing the registration process. The law limits the operations of a registered group to those areas where it is registered.
 - **Procedure:** an application must be sent to the local Ministry of Justice branch including all required documentation of informational requirements and proof that the group qualifies for registration (if apply for central registration).

- **Notarisation:** the law requires notarised documents stating the leading founding members have the religious education necessary to preach their faith, the group's sources of income, and CRA concurrence to register. The law also requires that khokimiyats concur with the registration of groups in their areas and that the group present notification from khokimiyat authorities stating the legal and postal addresses of the organisation conform to all legal requirements, including obtaining authorization certificates from the main architectural division, sanitary-epidemiological services, fire services, and the local mahalla committee. After checking the submitted certificates, khokimiyats grant registration permission and send the documents to the CRA for review.
- **Multi-registration:** religious groups applying to register in a specific locality require the concurrence of the Committee on Religious Affairs (CRA), the local government (khokimiyat), and the neighbourhood (mahalla) committee. Groups must submit "letters of guarantee" from the regional branches of the Ministry of Construction, the State Sanitary and Epidemiological Service, and the Department of the State Fire Safety Service under the Ministry of Internal Affairs.
- **Qualifications:** a permanent presence in eight of the country's 14 administrative units is required for central registration (**geographic quota**).
- **Informational requirements:** a membership list reaching or exceeding the stated membership quota and a charter with a legal, physical address.
- **Membership quota:** at least 50 citizens²⁸ (**nationality quota**) who are 18 years or older.
- **Registration benefits:** the law grants only registered religious groups the right to establish schools and train clergy.
- **Registration fee:** undisclosed by the government.

²⁸ UPDATE: now reduced to 50 with July 2021 law On the Freedom of Conscience and Religious Organisations: <https://xs.uz/ru/post/o-svobode-sovesti-i-religioznykh-organizatsiyakh>

- **Regulatory interval:** by law, the Ministry of Justice may take one to three months to review.
- **Outcome of registration:** a registration application may approve or deny the registration or cease review without issuing a decision (**non-issuance**).
- **Preapproval:** *the government must approve religious activities outside of formal worship as well as religious activities intended for children younger than 16 without parental permission.*
- **Unregistration:** criminalisation of unregistered religious groups and unregistered religious activity of all kinds. *Unregistered groups are prohibited from organising any religious activity.*
 - **Non-response:** *according to some Christian groups, after the adoption of the new religion law in July, many churches again attempted to register but remained unregistered, some because the government rejected their applications for technical reasons, including typographical errors, and others because the process was not yet complete. In Tashkent, these included Jehovah's Witnesses, Pentecostal Life Water Church, Pentecostal Source of Life Church, and Pentecostal New Wave Church. Jehovah's Witnesses Kingdom Halls also remained unregistered in Urgench, Fergana, Bukhara, Samarkand, Nukus, and Karshi. The Pentecostal Full Gospel churches in the cities of Khanabad, Kungrad, Chimbay, Gulistan, and Jizzakh remained unregistered, along with two in the city of Nukus.*
- **Reregistration:** the law states registered religious groups may expand throughout the country by registering new locations, maintaining buildings compliant with fire and health codes, organising religious teaching, and possessing religious literature.
- **Denial of registration:** *as in previous years, the Ministry of Justice explained denials of registration by citing the failures of religious groups to report a valid legal address or to obtain guarantee letters and necessary permits from all local authorities. Some groups stated they did not have addresses because they continued to be reluctant to purchase property without assurances the government would approve their registration application. Other groups stated local officials*

arbitrarily withheld approval of the addresses because officials opposed the existence of Christian churches with ethnic Uzbek members. In response, some groups reported they continued to provide congregation membership lists containing only Russian-sounding surnames.

- **Registration rate:** according to the CRA, the country had 2,313 registered religious organizations representing 16 different faiths, compared with 2,293 registered religious organizations and 16 faiths in 2020. Muslim religious groups operated 2,096 Sunni mosques (compared with 2,071 in 2020), four Shia mosques, 15 branches of the government-controlled Muftiate, and 13 education institutes. There were 190 registered non-Muslim groups, including 38 Orthodox churches, five Catholic churches, 61 Pentecostal churches, 24 Baptist churches, 10 Seventh-day Adventist churches, four New Apostle churches, two Lutheran churches, one Jehovah's Witness Kingdom Hall, one Voice of God church, 26 Korean Protestant churches, two Armenian Apostolic churches, eight Jewish communities, six Baha'i centres, one Hari Krishna temple, and one Buddhist temple. The Bible Society of Uzbekistan was also registered as of 2020.
- **Amendments to registration law:** on July 5 2021, President Mirziyoyev signed a new version of the law "On Freedom of Conscience and Religious Organizations," which, according to an international religious law expert and other observers, generally ignored the recommendations made in October 2020 by the OSCE's Venice Commission. According to human rights activists and religious groups, the new law did little to change the nature of religious freedom in the country. Observers stated that while some streamlining of the registration process could be considered an improvement, many aspects of the legislation remained severely deficient – including mandatory continued criminalisation of unregistered religious organizations, state control over religious literature, and prohibitions on the private teaching of religion. In 2020, according to an official request of government authorities, the OSCE and the Venice Commission issued an opinion stating that while the government's draft religion law provided some improved protections, it also allowed the government to maintain strict and excessive control over religion and religious freedom. The opinion also stated, "The

Draft Law should be substantially revised in order to ensure its full compliance with international human rights standards and OSCE human dimension commitments.” The opinion cited as problematic the mandatory registration of religious activity and religious organizations; unnecessary requirements for registration; the continuation of censorship on religious materials and bans on religious expression; excessive discretion by government officials that would allow for discrimination; and interference with a religious organization’s right to autonomy. The government deferred the scheduled visit of UN Special Rapporteur for Freedom of Religion or Belief Ahmed Shaheed to spring 2022, despite high level diplomatic encouragement to prioritise the visit.

- Evaluations
 - The imposition of a mandatory registration order is impermissible to RoRB standards; furthermore, the orientation of procedures as multi-registration and the onerous notarisation process are impermissible to RoRB standards.
 - The criminalisation of unregistration is impermissible to RoRB standards.
 - The imposition of a state preapproval policy on most religious activities is impermissible to RoRB standards.
 - The provision of a regulatory interval on registration procedures is welcomed.
 - The imposition of both a membership quota and a geographic quota onto registrant religious groups in Uzbekistan is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Uzbekistan as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity

- **Censoring religion or belief:** *under the law, state bodies, including mahalla committees, as well as non-state and noncommercial public organisations have wide-ranging powers to combat suspected “antisocial activity” in cooperation with police. These powers include preventing the activity of unregistered religious organisations, ensuring compliance of rights of citizens with religious freedom, prohibiting propagation of religious views, and considering other questions related to observance of the law.*
- **Censorship of Islam:** *according to the CRA and Muslim religious leaders, the government continued to review the content of imams’ sermons, as well as the volume and substance of Islamic materials published by the Muftiate. Religious leaders said the government ensured CRA control over the Muftiate by selecting the Muftiate’s staff and circulating approved sermons for prayer services. The government did not legally limit the volume of public calls to prayer, although many mosques continued to voluntarily do so, according to media sources.*
- **Hieronymy:** *the importation of religious materials or devotional items into Uzbekistan is prohibited, both for personal and propagational use; it is unclear how strictly this prohibition is enforced, especially for personal use goods.*
 - *According to the FedEx Cross Border global lists, “religious books” are prohibited from importation into Uzbekistan.*
- **Land use:** *according to local media, in May 2021, the only functioning Buddhist temple in Central Asia – a temple with more than 200 mainly ethnic Korean members, in Tashkent Region – received a notice that the government would acquire its land for the construction of an elevated metro line. Alexander Khegay, Deputy Abbot of the Buddhist temple, expressed the community’s concern about the threat of demolition and legal uncertainty. Khegay said the regional khokimiyat had not contacted him to discuss compensation since May, as required by the country’s land code.*

- **Muslim clerics:** individual Muslim clergy members receive accreditation from the Muslim Board of Uzbekistan.
- **Online activity:** *according to regulations, a website or blog may be blocked for calling for the violent overthrow of the constitutional order and territorial integrity of the country; spreading ideas of war, violence, and terrorism, as well as religious extremism, separatism, and fundamentalism; disclosing information that is a state secret or protected by law; or disseminating information that could lead to national, ethnic, or religious enmity or involves pornography or promoting narcotic usage. According to the Ministry of Justice, the government may block websites or blogs without a court order.*
 - *The government continued to occasionally restrict access to websites, including those of Jehovah's Witnesses and Forum 18. The government maintained a list of illegal websites it said were linked to Islamic extremist activity.*
- **Pastoral services:** *the government continued to state that prisoners had the right to practice any religion or no religion. According to human rights activists, including a prominent former religious prisoner and current human rights defender, some prisoners continued to tell family members they were not able to observe religious rituals that conflicted with the prison's schedule of activities. Such observances included traditional Islamic morning prayers. According to human rights activists, authorities continued to forbid prisoners from observing religious holidays such as Ramadan while incarcerated, including fasting, although by law, authorities were not authorized to impose such a restriction. Authorities stated religious practice was voluntary and that it should not violate the internal regulations of a penitentiary or infringe on the rights and legitimate interests of other inmates. Although some prison libraries provided copies of the Quran and the Bible, family members continued to state authorities did not allow some religiously observant prisoners access to religious materials.*

- **Pilgrimage:** *Umrah and Hajj regulations continued to require pilgrims to apply to local mahalla committees, which submitted a list to the khokimiyats. The CRA used the khokimiyats' lists to coordinate ticketing on national air carrier flights to Jeddah. Local mahalla committees, district administrations, security services, CRA, and the Muftiate reportedly participated in vetting potential pilgrims. The state continued to maintain a monopoly on organising the Umrah pilgrimage and controlling the lists of pilgrims. At a press conference on July 12, CRA Deputy Head Dilshod Eshanev stated that private tour operators were not authorized to organise Umrah pilgrimages or obtain visas for pilgrims because "the documents do not provide for it." In 2020, the Muftiate requested that the Saudi Arabian embassy in Tashkent issue umrah visas only to citizens from a list provided by the Muftiate. A Tashkent-Jeddah flight was not available to passengers ticketed by private travel agencies.*
- **Places of worship:** *large government-operated hotels continued to furnish a limited number of rooms with Qurans and Bibles. The government did not report how many Qurans were made available for hotels. Upon advance request, hotels also provided other holy books, prayer mats, and qibla direction finders, used by Muslims to indicate the direction of Mecca. Many airports and train stations continued to maintain small prayer rooms on their premises.*
 - *According to Christian religious leaders, many Christians, including Jehovah's Witnesses, continued to have no access to an authorized house of worship within 1,000 kilometers (620 miles) and gathered in private "house churches," leaving them potentially vulnerable to police harassment and abuse because such gatherings remained illegal.*
- **Propagation:** *the law requires religious groups to obtain a license to publish or distribute religious materials. The law requires official approval of the content, production, and distribution and storage of religious publications. Such materials include books, magazines, newspapers, brochures, leaflets, audiovisual items including CDs and DVDs, and materials posted to the internet describing the origins, history,*

ideology, teachings, commentaries, and rituals of various religions of the world.

- **Proselytism:** proselytism and other missionary activities are prohibited in the law.
- **Religious attire:** the law prohibits all individuals, except clergy and individuals serving in leadership positions of officially recognised religious organisations, from wearing religious attire in public places. The government does not generally enforce this section of law; individuals may appear in public places in religious attire, with the exception of schools at all levels, both public and private.
- **Religious education:** *religious education establishments acquire the right to operate after registering with the Ministry of Justice and receiving the appropriate license. Individuals teaching religious subjects at religious educational establishments must have a religious education recognised by the state and authorization to teach. These provisions make it illegal for laypersons to teach others any form of religion or for government-approved religious instructors to teach others outside the confines of an approved educational institution.*
- **Religious events:** *the law requires registered religious organisations to inform authorities 30 days in advance of holding religious meetings and other religious ceremonies at the group's registered address(es). The administrative code requires all registered religious organisations to seek permission from local authorities and then inform the CRA and Ministry of Justice representative 30 days before holding religious meetings, street processions, or other religious ceremonies occurring outside of a group's registered building(s), including activities involving foreign individuals or worshippers from another region.*
- **Religious instruction:** *the law permits only religious groups with a registered central administrative body to train religious personnel and conduct religious instruction. Ten madrassahs, including one for women, and a Russian Orthodox and a*

Protestant seminary have official approval to train religious personnel and provide secondary education. The Cabinet of Ministers considers madrassah-granted diplomas equivalent to other diplomas, enabling madrassah graduates to continue to university-level education. The law requires imams to have graduated from a recognised religious education facility and registered for a license with the government. The Muslim Board of Uzbekistan assigns a graduate to a particular mosque as a deputy imam before he may subsequently become an imam. According to government officials, clerics from various religious groups who obtained their qualifications abroad may officiate within licensed premises.

- According to Muslim representatives, some official imams continued to state they could not teach Islam to children because the law forbids it. Fee-based courses on the Arabic language and Quranic studies for the public were available but limited to adults.
- According to media and the government, the ban on private religious instruction continued to result in the government detaining and fining members of religious communities. The ban included meetings of persons gathered to discuss their faith or to exchange religious ideas. Some Muslims said religious discussions continued to be considered taboo because no one wanted to risk being punished for proselytism or for teaching religious principles in private. The government reported that as of October 1, it had shut down 62 hujras (illegal private schools that provide Islamic education) – compared with 20 during the same period in 2020, filed three criminal cases for illegal religious education, and found more than 60 persons “administratively liable” (subject to fines) for conducting illegal religious education, compared with 50 persons during the same period in 2020. Although the law forbids the private teaching of religion, the number of these illegal schools has steadily increased since President Mirziyoyev was elected in 2016, and there was a corresponding increase in the number of raids during the year. A religious freedom activist and lawyer stated that authorities were concerned about the dramatic increase in the number of new practicing Muslims during the COVID-19 pandemic. He said the government feared this, coupled with unregulated

hujras, could lead to a rise in extremist beliefs. The lawyer and activist stated he believed the government was highlighting the most extreme cases in order to discourage parents from sending their children to hujras. Another activist noted that before 2016, hujras were rare and were mostly located in the Fergana Valley, but they were now found throughout the country. On January 11, the Counterterrorism and Extremism Department of the Ministry of the Interior (MOI) and the State Emergency Service jointly raided a hujra in Tashkent. In a press release, the MOI said parents paid between 1.6 million and 2.2 million soum (\$150-\$200) in tuition to the hujra and that the school's leadership subjected minors to corporal punishment for learning infractions.

- **Religious literature:** preapproval from the government is required of the content of religious publications and also how they are produced, distributed and stored.
 - *The government continued to allow only the following groups to publish, import, and distribute religious literature upon review and approval by the CRA: The Bible Society of Uzbekistan, the Muftiate, the Tashkent Islamic Institute, and the offices of the Russian Orthodox, Full Gospel, Baptist, and Catholic Churches.*
 - *The Bible Society of Uzbekistan reported that during the year, Christians could continue to request a Bible from the society in English, Russian, or Uzbek. According to some Christian groups, there was a shortage of Uzbek-language Bibles (Muqaddas Kitob), particularly in regions outside Tashkent. The Bible Society reported that the CRA did not approve a new print run of Bibles or the registration of Christian children's books.*
 - *Religious activist Adham Atajanov (pen name Abu Muslim) reported his request to publish interpretations of two Islamic texts remained pending with the CRA. Atajanov sought permission in 2019 to publish interpretations of five texts. He received permission to publish two of the books in October 2020 and received verbal assurance that he could publish one book during the year, but the CRA had not granted official permission. He said the CRA was reviewing the two remaining proposed publications at year's end.*

- *The government continued to limit access to Islamic publications deemed extremist and during the year arrested individuals attempting to import or publish religious literature without official permission. The government continued to require a statement in every domestic publication indicating the source of its publication authority. According to marketplace shoppers, it continued to be possible, although uncommon, to obtain a few imported works in Arabic from book dealers in secondhand stores or flea markets, but any literature not specifically approved by the CRA was rare. The CRA also continued to block the importation of some Christian and Islamic literature.*
- **Religious services:** any religious service conducted by an unregistered religious organisation is illegal. The criminal code distinguishes between “illegal” groups, which are unregistered groups, and “prohibited” groups viewed as “extremist.” It criminalises membership in organisations banned as terrorist groups.
- **Restitution:** *on March 3 2021, the national government ordered the transfer of a historic Roman Catholic Church, built in 1905 in Fergana and under municipal ownership, to the Church in accordance with a Cabinet of Ministers resolution authorising the transfer. According to representatives of the Catholic Church, however, Fergana City authorities took no further action and the building remained in the hands of city authorities through year’s end.*
- **Weaponisation of extremism:** *the state forbids banned “extremist religious groups” from distributing any type of publication. Individuals who distribute leaflets or literature deemed extremist via social networks are subject to criminal prosecution and face prison terms ranging from five to 20 years. According to the law, individuals in possession of literature by authors the government deems to be extremist or of any literature illegally imported or produced, are subject to arrest and prosecution. Various provisions of the law on countering violent extremism deal with individuals’ security, protection of society and the state, preservation of constitutional order and*

the territorial integrity of the country, keeping the peace, and multiethnic and multi-religious harmony. The law provides a framework of basic concepts, principles, and directions for countering extremism and extremist activities. By law, extremism is defined as the “expression of extreme forms of actions, focused on destabilising social and political situations, a violent change in the constitutional order in Uzbekistan, a violent seizure of power and usurping its authority, [and] inciting national, ethnic or religious hatred.”

- Penal code
 - **Proselytism:** the law prohibits proselytising and other missionary activities. The criminal code punishes proselytising with up to three years in prison and proscribes efforts to draw minors into religious organisations without parental permission.
 - **Religious instruction:** *the law prohibits private teaching of religion. It limits religious instruction to officially sanctioned religious schools and state-approved instructors. Children may not receive religious education in public schools except for some classes providing basic information on world religions or “lessons of enlightenment” (the study of national culture) in the curriculum.*
 - **Religious property:** *the law punishes private entities for leasing premises or other property to, or facilitating gatherings, meetings, and street demonstrations of, religious groups without state permission. The law also criminalises the unauthorised facilitation of children’s and youth meetings as well as literary and other study groups related to worship. The administrative penalty for violating these provisions ranges from fines of 9,215,000 to 18,430,000 som (\$880 to \$1,800) or up to 15 days’ imprisonment.*
 - **Religious publications:** *the administrative code punishes the “illegal production, storage, import, or distribution of materials of religious content” with a fine of 20 to 100 times the minimum monthly wage (4,460,000 to 22,300,000 som, \$430*

to \$2,100) for individuals. The fine for government officials committing the same offence is 50 to 150 times the minimum monthly wage (11,150,000 to 33,450,000 som, \$1,100 to \$3,200). The administrative code permits the confiscation of the materials and the “corresponding means of producing and distributing them.” Courts issue fines under the administrative code. In instances where an individual is unable to pay the fine, courts will issue an order garnishing wages.

- **Implementation:** in practice, punishments under the criminal code for violations involving religious literature are rarely applied.
- **Punishments for reoffending:** the criminal code imposes a fine of 100 to 200 times the minimum monthly wage (22,300,000 to 44,600,000 som, \$2,100 to \$4,300) or “corrective labor” of up to three years for individuals who commit these acts subsequent to a judgment rendered under the administrative code.
- **Unregistered religious activity:** *it is a criminal offence punishable by up to five years in prison or a fine of four to eight million som (\$380-\$760) to organise or participate in an illegal religious group. The law also specifically prohibits persuading others to join illegal religious groups, with penalties of up to up to three years in prison. The criminal code provides penalties of up to 20 years in prison for organising or participating in the activities of religious extremist, fundamentalist, separatist, or other prohibited groups. Charges against alleged members of religious extremist groups may include the stated offenses of attempting to overthrow the constitutional order and terrorism.*
- Facilitation of religion or belief
 - **Dedicated office:** the CRA oversees registered religious activity. The Council for Confessions under the CRA includes ex officio representatives from Muslim, Christian, and Jewish groups. It discusses ways of ensuring compliance with the law, the rights and responsibilities of religious organisations and believers, and other issues related to religion.

- **Ombudsmanship:** the office of the Authorised Person of the *Oliy Majlis* of the Republic of Uzbekistan for Human Rights was established in 1995 and continues to receive technical support by the OSCE.
- **Religious literacy:** during the year, the government controlled Muftiate continued to operate a call center created in 2019 and staffed by religious experts, which allowed for citizens to ask general questions pertaining to Islam.

Social dimensions of RoRB

- **Jehovah's Witnesses:** representatives of Jehovah's Witnesses said that although there are improvements to the law, it still did not address many of their concerns, including the need for *khokimiyat* and CRA approval for registration and prohibitions on missionary activity and gathering for religious meetings in private homes.
- Jehovah's Witnesses again stated that because the government considered illegal any religious activity of Jehovah's Witnesses outside the one registered religious building in Chirchik, the group remained a potential target for harassment and mistreatment, although there were no reported raids during the year. Jehovah's Witnesses representatives said the group's one registered site in Chirchik did not adequately meet their needs due to their growing numbers. The group had repeatedly attempted to register in seven districts of the country before the new religion law was passed, but the government had rejected their application at the mahalla level, the first step in the registration process. On January 27, Jehovah's Witnesses filed an appeal with the United Nations Human Rights Committee regarding six of its seven unsuccessful registration attempts. Jehovah's Witnesses continued to await the final decision of the committee at year's end. On August 16, Jehovah's Witnesses attempted to receive the concurrence of the CRA (preapproval) and the Tashkent and Samarkand *khokimiyats* to register in those cities under to the new religion law. According to representatives of the Jehovah's Witnesses, the CRA and *khokimiyats* of Tashkent and Samarkand rejected their applications on August 16, September 10, and September 11, respectively, stating that the religious group must submit "appropriate letters of guarantee" from the regional branches of

the Ministry of Construction, the State Sanitary and Epidemiological Service, and the Ministry of Internal Affairs' Department of the State Fire Safety Service. On October 8, the Tashkent branch of the Ministry of Construction denied Jehovah's Witnesses a letter of guarantee, stating that it was not within its purview to issue such a letter.

- **Religious minorities:** *non-Muslim and non-Orthodox religious groups said they continued to experience particular difficulties conducting religious activities in the autonomous Republic of Karakalpakstan because most non-Muslim and non-Orthodox religious communities continued to lack legal status there. A Pentecostal church and a Russian Orthodox church were the only two Christian churches in the region of two million persons.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration with no means of a distinct procedure for existential recognition; successful registration means very little in terms of freedom to conduct religious activities as the government will continue intervene.
- The law is contradictory; it asks that groups not conducting any activity, including the establishment of a place of worship or conducting fundraising, yet it asks for a legal, physical address during the registration.
- The rule of mandatory registration, particularly as this effects all forms of religious activity, violates the Bielefeldt provision; registration is a prerequisite for any religious activity.
- Organisations of all kinds, both governmental and non-governmental have the opportunity and in some regards, the obligation to report unregistered religious activity, especially activity that could possibly contravene the broad and subjective laws on religion and belief; this in effect creates a watchkeeper state.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the terminally restrictive and repressive regime of laws and policies that restrict all aspects of religious life for citizens and all operations of religious organisations throughout the country; such a dismantlement would first need to take place in entirety in order for any type of new recognition system to be established or reorganised.

Restriction tools implemented

- Censorship of religious publications and materials, both physical and digital, is widespread; heavy restrictions are imposed on importation, distribution, production and storage of religious literature.
- Confinement restriction tool.
- Contradiction in the law as a means to confuse and restrict.
- False claim to freedom of religion or belief.
- False registration is in effect (as a form of pseudo-recognition).
- Government intervention in religion and the internal affairs of religious organisations is absolute.
- Licensing restriction tool.
- Mandatory registration for all religious groups and for all instances of individual religious activity.
- Membership quotas are in effect (reduced from 100 persons to 50 in July 2021).
- Normativism is in effect.
- Private teaching of religion is banned.
- Proselytism and missionary activity is restricted; retributions include imprisonment.
- Restrictions are imposed on the holding of religious meetings through onerous registration requirements.
- Segmentation is in effect because groups cannot gain “central registration” without first having achieved provincial registration.
- State definition and interpretation of religion and of specific religions like Islam.

- Subjective language is used throughout legislation as a means to provide the government with broad scope to restrict religious that it does not agree with.
- Unregistration is criminalised.
- Watchkeeper state is in effect.
- Weaponisation of the term “extremist” and “terrorist.”
- Wearing of religious clothing is heavily restricted.

History of RoRB classification

- Uzbekistan has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Vanuatu, Republic of — Restrictive

RoRB and national identity

- The Constitution of Vanuatu makes an explicit claim to freedom of religion or belief, a claim the government generally upholds in practice but with some infractions.
- The Republic of Vanuatu is a secular state.
- State privilege is extended to Christianity by way of the Constitution's preamble which states that Vanuatu is founded on "Christian principles", yet there is no state religion.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Vanuatu.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Vanuatu demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that all religious groups apply for registration in order to operate legally.
 - **Procedure:** religious groups must apply to the government (still unclear which ministry specifically) for a certificate of registration. Once this process of certification is complete, groups must then obtain approval from the Minister of Internal Affairs (**dual registration**).

- **Legal designation:** the legal designation for religious groups is “religious body”.
 - **Registration fee:** 1,000 vatu (\$9).
 - **Registration benefits:** groups can legally open their own bank account.
 - **Unregistration:** although the law regarding unregistration states that ‘a fine will be levied against unregistered groups’ is not enforced, this is taken to be that the law acts as a successful deterrent rather than the liberality of the government in this matter.
- Evaluations
 - The imposition of a mandatory registration order onto registrant religious groups is impermissible to RoRB standards.
 - Imposing a registration fee below the \$100 threshold set down by RoRB standards is permissible.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Vanuatu as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** rules surrounding the importation of religious materials or devotional items into Vanuatu remain unclear, especially those intended for propagational use and those attempted to be imported by unregistered religious groups. The importation of religious goods for personal use are permitted.
- Penal code
 - **Unregistered religious groups:** the penalty for not registering is a fine not exceeding 50,000 vatu (\$450).

- Facilitation of religion or belief
 - **Dedicated ministry:** *the government continued to interact with religious groups primarily through the Ministry of Internal Affairs and the VCC, the latter composed of the Catholic Church, Anglican Church, Presbyterian Church, Church of Christ, and the Apostolic Church, with Seventh-day Adventists and the Assemblies of God having observer status. In September, media reported that Vanuatu Police and Vanuatu Mobile Force Chaplain Lieutenant Collen (Celeb) Willie planned to initiate a “Restoration Mandate” intended to promote harmony by creating a partnership between the government and Christian churches. Government officials said they respected religious minorities but preferred to work with a coordinated body such as the VCC, which represented the majority of churches, noting that religious minorities had different expectations and protocols.*
 - **Ombudsmanship:** *there is currently no ombudsman office established in Vanuatu to investigate cases of human rights violation in the country.*
 - **State funding:** *in July 2021, the government announced a grant to the VCC of 50 million vatu (\$450,000), compared with the usual 10 million vatu (\$90,000) grant. Regarding the increase, Director General of the Prime Minister's Office Gregoire Nimbtik said, “the government is showing its commitment with the increased amount it is granting VCC.” In October, the VCC confirmed receipt of 25 million vatu (\$225,000) to meet new objectives outlined in the “Government Church Partnership Program,” and to build on the 2019-2020 government grant of 20 million vatu (\$180,000) that was used to strengthen the VCC and its network.*

Social dimensions of RoRB

- **Non-Christians:** *adherents of non-Christian faiths can worship freely.*

Overview

- Although the law on mandatory registration may be dormant, its mere existence still violates the Bielefeldt provision.
- State privilege is given to Christianity by way of the constitution though this does not tend to effect religious freedom conditions.

Positive elements

- Freedom of religion or belief is broadly upheld in practice by the government.

Recommendations

- Establish a revitalised recognition system that provides opportunities for both existential recognition and legal registration to all belief systems and their derivatives in order to be classified as receptive in the Spectrum of Religious Recognition.
- Abolish fines for unregistration, the mandatory registration order and the imposition of dual registration.
- To be classified Dynamic, establish a recognition agency that works independently of government control that has the responsibility to manage the recognition system whilst also maintaining the authority that it requires to ensure that decisions of recognition and registration are respected nationwide.

Restriction tools implemented

- Dormant law of mandatory registration exists.
- State privilege.
- Unstructure persists in the system which has led to a lack of provisions for existential recognition and unclear rules regarding some aspects of religious activity.

History of RoRB classification

- Vanuatu has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Vatican City State — Ambiguous

RoRB and national identity

- Vatican City is an elective, theocratic, sacerdotal, absolute monarchy ruled by the Pope meaning Catholicism is automatically the state denomination.
- The Vatican City State is a theocracy.
- The Catholic Church espouses *dignitatis humanae* affirms the right of every human being to religious liberty which were instituted through the Second Vatican Council (1962-1965).

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Vatican City as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Vatican City State is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Vatican City's penal code.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is currently no ombudsman office established in Vatican City to investigate cases of human rights violation in the country.

Overview

- There exists no recognition system due to the Vatican's status as a theocracy.

History of RoRB classification

- Vatican City has been classified Ambiguous in the SRR since the first edition of the RoRB Index in 2021.

Venezuela, Bolivarian Republic of — Restrictive

RoRB and national identity

- The Constitution of Venezuela makes an explicit claim to freedom of religion or belief, a claim that is generally upheld by the government in practice but with some infractions.
- The Bolivarian Republic of Venezuela is a secular state.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Venezuela.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Venezuela demonstrates there to be an issue of the amalgamation of recognition and registration in the country.
 - **Bilateral cooperation agreement:** *a 1964 concordat governs relations between the government and the Holy See and provides for government funding for Catholic Church-run schools. In 2017, the now dissolved National Constituent Assembly (ANC), which the National Assembly, democratically elected in 2015, and the Guaido-led interim government and much of the international community considered illegitimate, passed an anti-hate law criminalising acts of incitement to hatred or violence.*

Registration law

- Structures and procedures of legal registration

- **Part-mandatory registration:** although the government does not explicitly state that registration is mandatory for religious groups to legally operate without state intervention, unregistration is known to bring about stigma and other institutional hurdles that are impermissible to RoRB standards.
- **Procedure:** the Directorate of Justice and Religion (DJR), which is part of the Ministry of Interior, Justice and Peace (MOI) is responsible for registering religious groups and maintaining the registry. Successful registration with the DJR brings about legal entity status for religious groups.
- **Informational requirements:** declaration of property belonging to the religious group, identification of any religious authorities working directly for it, and articles of incorporation.
- **Qualifications:** religious groups are required to demonstrate how they will provide social services to their communities and to receive a letter of acceptance from the regime-controlled community council in the neighbourhood(s) where the group will work (**localisation**).
- **Indefinite delay:** the MOI reviews applications and may delay approval indefinitely as there is no regulatory interval.
- **Reregistration:** religious groups must register any new statutes with the DJR.
- **Potential new monitorial requirements:** *on March 30 2021, the Ministry of Interior, Justice and Peace proposed a new antiterrorism requirement that nongovernmental organizations (NGOs) and other nonprofits, including religious organizations, provide information on the activities, contributions, and names of beneficiaries, which religious communities and NGOs said was sensitive. Under its broad definition of “beneficiaries,” the measure proposed the requirement that humanitarian NGOs provide the identities of the victims and vulnerable communities that they served. The measure had not been implemented as of November, but NGOs expressed concern regarding the possibility it could be and expressed fear the regime was developing a registry to begin implementation.*

- Evaluations
 - The imposition of a semi-mandatory registration policy is impermissible to RoRB standards.
 - The capacity for the government to apply an indefinite delay on registration procedures is impermissible to RoRB standards.
 - The stipulated qualifications for registration procedure are impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Venezuela as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of religious materials or devotional items into Venezuela is permitted without restriction, both for personal and propagational use.
 - According to the FedEx Cross Border global lists, “antiques/cultural goods” are classified restricted which could be interpreted broadly to include some religious goods.
 - **Pastoral services:** *the law provides for Catholic chaplains to minister to the spiritual needs of Catholics serving in the military. There are no known similar provisions for other religious groups.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Venezuela’s penal code.
- Facilitation of religion or belief

- **Dedicated office:** the DJR disburses funds to registered religious organisations and promotes awareness and understanding among religious communities.
- **Ombudsmanship:** there is currently no ombudsman office established in Venezuela to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Catholics:** tensions between the government and the Roman Catholic Church remain high.
- **Jews:** government relations with the small Jewish community have been strained at times.

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on legal registration with few to no means of existential recognition.
- Reports of strained relations and tensions between the government and religious organisations demonstrates a lack of functions within the recognition system to enable communication between the government and religious groups; a revitalised recognition system and especially the establishment of a recognition agency to mediate relations between the government and religious entities should resolve these issues.

Positive elements

- Freedom of religion or belief is generally though not broadly practiced by the government.

Recommendations

- Establish a revitalised recognition system that provides opportunities for both existential recognition and legal

registration to all belief systems and their derivatives in order to be classified as receptive in the SRR.

- To be classified Dynamic, establish a recognition agency that works independently of government control that has the responsibility to manage the recognition system whilst also maintaining the authority that it requires to ensure that decisions of recognition and registration are respected nationwide.

Restriction tools implemented

- Ambiguity remains on issues such as proselytism.
- Stipulatory registration, although remains ambiguous and is at times part-mandatory.
- The capacity for the MOI to delay registration indefinitely demonstrates Venezuela's present restrictivity.
- Unstructure exists within the system which has led to ambiguity in the legislation and a lack of provisions for the existential recognition of religious groups.

History of RoRB classification

- Venezuela has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Vietnam, Socialist Republic of — Terminal

RoRB and national identity

- The Constitution of Vietnam makes an explicit claim to freedom of religion or belief, a claim that is systematically infringed upon in practice by the government.
- The Socialist Republic of Vietnam is a secular state.
- As a Communist state, Vietnam is a hypersecular state and espouses state atheism, although some have seen an influence of Buddhism emerge in recent years earning Vietnam the unofficial label as being an atheist-Buddhist state.
- Vietnam recognises 38 religious organisations and one dharma practice
- Caodaism, Hoa Hao and some Christian as well as Buddhist groups continue to go unrecognised by the Vietnamese government.

Recognition law

- Structures and procedures for existential recognition
 - Recognition constitutes the second stage of the institutionalisation process for religious groups in Vietnam. Only when a group has successfully undergone the “registration for religious operation” process may they consider applying for recognition from the state. For this details on this precursory procedure for legal registration, please proceed to the next subsection on registration law in Vietnam.
 - **Procedure:** a religious group can only apply for recognition at least five years following the date they received their approval for registration for religious operation (**longevity quota**). An application must be sent to the provincial Government Committee for Religious Affairs (GCRA) or the Ministry of Home Affairs (MHA) depending on the geographic extent of the group’s operations; this should be in the form a written request specifying why the group

qualifies for recognition and all mandatory informational requirements (see below).

- **Qualifications:** a religious group is required to have a legal charter and bylaws, leaders in good standing without criminal records, and to have managed assets and conducted transactions autonomously (**non-specific financial quota**).
- **Informational requirements:** the group's structure, membership, geographical scope of operation and headquarters location; a summary of its history, dogmas, canon laws, and rites; a list and the resumes, judicial records, and summaries of the religious activities of the organisation's representative and tentative leaders; the group's charter; a declaration of the organisation's lawful assets; and proof of lawful premises to serve as a headquarters.
- **Regulatory interval:** the GCRA or MHA must respond within 60 days of their receipt of the application.
- **Denial of recognition:** the relevant provincial people's committee or MHA is required to provide any rejection in writing.
- **Recognition benefits:** recognition allows the religious group to conduct religious activities in accordance with the organisation's charter; organise religious practice; publish religious texts, books, and other publications; produce, export, and import religious cultural products and religious articles; renovate, upgrade, or construct new religious establishments; and receive lawful donations from domestic and foreign sources, among other rights.
- **Recognised religions:** the government recognises 38 religious organisations that affiliate with 16 distinct religious "traditions," as defined by the government: Buddhism, Islam, the Baha'i Faith, Catholicism, Protestantism, Church of Jesus Christ, Hoa Hao Buddhism, Cao Dai, Buu Son Ky Huong, Tinh Do Cu Si Phat Hoi, Tu An Hieu Nghia, Phat Duong Nam Tong Minh Su Dao, Minh Ly Dao Tam Tong Mieu, Cham Brahmanism, Hieu Nghia Ta Lon Buddhism, and the Seventh-day Adventist Church.

- Evaluations

- The provision of existential recognition is welcomed but not as a means to restrict the definition of religion or to control religious activity.
- The listed recognition benefits are impermissible because some of them are classified “basic religious activities” and should not require a group to receive recognition in order for them to be conducted freely.
- The informational requirements requested as part of registration procedures are also impermissible to RoRB standards due to their likelihood to be misused by the government to exclude religious groups it happens not to favour.

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** two-stage process of institutionalisation for citizens to gather at a specific location to “practice worship rituals, pray, or express their religious faith.” Under the law, a religious organisation is defined as “a religious group that has received legal recognition” by authorities.
 - **Role of the GCRA:** *the GCRA, one of 18 “ministerial units” under the Ministry of Home Affairs (MHA), is responsible for implementing religious laws and decrees; it maintains offices at the central, provincial, and, in some areas, district levels. The law lays out specific responsibilities for central-, provincial-, and local-level GCRA offices and delegates certain religion-related management tasks to provincial- and local-level people’s committees (i.e., local leaders). The central-level GCRA is charged with disseminating information to authorities and assuring uniform compliance with the legal framework on religion at the provincial, district, commune, and village levels.*
 - **Two stages of institutionalisation:** religious groups are required to register religious activities with local authorities where the “lawful premises for the religious practice is based”. There are two stages to this overall process of

institutionalisation, the first resembling legal registration while the second resembles existential recognition.

- **Registration for religious organisations:** this is legal registration with the provincial and/or national level GCRA depending on the geographic extent of the group's activities.
 - **Registration benefits:** allows a group to organise religious ceremonies and religious practice; preach and conduct religious classes at approved locations; elect, appoint, or designate officials; repair or renovate the headquarters; engage in charitable or humanitarian activities; and organise congresses to approve its charter.
 - **Procedure:** submission of a detailed application to the relevant provincial GCRA office, or for groups operating nationally, the MHA.
 - **Regulatory interval:** the GCRA or MHA must respond within 60 days of their receipt of the application.
 - **Informational requirements:** the group's doctrines, history, bylaws, leaders, and members as well as proof it has a legal meeting location.
 - **Qualifications:** *authorities required most, if not all, applicants seeking the registration of their religious operation or recognition of their organization to include in their applications language stating the religious organization would be in harmony with the nation and would serve the Vietnamese people. For example, the Catholic Church used the slogan "Live the gospel amidst the nation," while the VBS used "dharma, nation, and socialism." Religious groups continued to publicise the slogans after their registration and recognition.*
 - **Denial of registration:** the GCRA or MHA is required to provide any rejection of the registration application in writing.
 - **Examples:** the Assemblies of God, Ta Lon Dutiful and Loyal Buddhism, Vietnam Full Gospel Church, and Vietnam United Gospel Outreach Church have "registrations for religious operation" status but are not recognised as official organisations.

- **State support on registration procedures:** *GCRA officials stated that government officials assisted unregistered religious groups to navigate the bureaucratic procedures required for registration, using features such as an interactive portal on the GCRA website that allowed religious organizations to track the status of their document submissions. The GCRA, however, acknowledged the web portal was not useful for remote religious groups that often lacked the technical skills to utilise the digital forms provided by the government. The GCRA continued to provide provincial-level training to facilitate local registration of religious groups.*
- **Recognition:** this second procedure of institutionalisation was detailed in the previous subsection on recognition law in Vietnam.
- **Legal designation:** religious groups are seen and referred to under the designation non-commercial legal entity.
- **Pastoral services:** the law also stipulates that religious organisations are allowed to conduct educational, health, social protection, charitable, and humanitarian activities in accordance with relevant laws.
- **Subsidiary and denominational registration:** distinct denominations within these religious traditions must seek their own registration and/or recognition.
- **Preapproval:** the law specifies that a wide variety of religious activities require advance approval or registration from authorities at the central and/or local levels.
- **Notification:** *certain religious activities do not need advance approval but instead require notification to the appropriate authorities. Activities requiring notification include recurring or periodic “belief festivals;” dismissal of clergy; conducting fundraising activities; reporting enrolment figures at a seminary or religious school; the repair or renovation of religious facilities not considered cultural-historical relics; ordination, appointment, or assignment of religious clergy (such as monks); transfers or dismissals of religious administrators (or clergy with administrative authority); conducting operations at an approved religious training facility; routine religious activities (defined as “religious preaching, practicing religious tenets and rites, and*

management of a religious organisation”); and internal conferences of a religious organisation.

- **Unregistration:** the government imposes restrictions on unregistered religious groups.
- **Limitations:** the government does not allow unauthorised organisations to raise funds or distribute aid without seeking approval and registration from authorities.
 - *Members of some unregistered religious groups, including independent Pentecostals in Dien Bien; unregistered Baptists in Thanh Hoa; Duong Van Minh in Tuyen Quang, Ha Giang and Cao Bang; and ethnic minority Protestants in the Central Highlands; reported administrative difficulties and an inability to access social welfare benefits. There were cases in which individuals from these groups stated that local authorities told them the “difficulties would go away” if they recanted their faith. Duong Van Minh followers in Cao Bang Province, for example, said local authorities denied new residential registrations and subsequently denied or delayed approval of businesses for those Duong Van Minh followers who lacked residential registration. Local authorities required Duong Van Minh followers to sign a commitment to stop following Duong Van Minh if they wanted to receive assistance the authorities provided to ethnic minority households to construct housing. In many cases, the individuals said they assumed authorities discriminated against them because of their faith.*
 - *Local authorities continued to obstruct the assignment and transfer of religious leaders to unregistered local congregations, particularly those who were from other localities. In several cases, local authorities harassed members of these unregistered local congregations. The Evangelical Church of Vietnam-North (ECVN) reported the recognition of its local congregations was still time consuming, although many of them had been operating stably for many years without official confirmation of their registration and, from their perspective, had fully met the registration requirements. According to the ECVN, authorities recognized 23 local congregations and granted*

registration to approximately 500 out of 1,200 local congregations and houses of worship (meeting points). The ECVN reported it continued to experience difficulties obtaining registration of its meeting points with local authorities in Quang Binh and Nghe An Provinces.

- Most representatives of religious groups continued to report anecdotally that adherence to a registered religious group generally did not seriously disadvantage individuals in nongovernmental, civil, economic, and secular life, but that adherence to an unregistered group was more disadvantageous. Religious leaders said that religious belief itself did not lead to official discrimination, but rather it was the implication of being affiliated with any type of extralegal group that could attract additional scrutiny from authorities. Practitioners of various registered religious groups served in local and provincial government positions and were represented in the National Assembly. In May, one Catholic priest and four VBS monks were elected to the 499-member National Assembly. Many nationally recognized religious organizations, such as the VBS, as well as other clergy and religious followers, were members of the Vietnam Fatherland Front. High ranking government officials sent greetings and visited churches during Christmas and Easter and attended Vesak activities commemorating the birth of the Buddha. The official resumes of the top three CPV leaders stated they followed no religion; however, while many senior CPV leaders were reported to hold strong religious beliefs, particularly Buddhist, they generally did not publicly discuss their religious affiliation.
- **Registration rate:** according to the GCRA, in northern mountainous provinces, local authorities cumulatively granted registrations to nearly 800 local congregations, known as “meeting points,” and they recognized 14 local congregations, out of more than 1,600 local congregations. The registrations and recognitions affected approximately 250,000 congregation members in total (of which 95 percent were ethnic minorities, mostly H’mong). In the Central Highlands, local authorities granted registration to more than 1,400 local congregations and recognized 311 local

congregations, together affecting nearly 584,000 congregation members.

- *The Ministry of Public Security estimated approximately 70 Protestant groups comprising nearly 200,000 members operated outside of the legal framework mandated by the LBR. These groups neither sought nor received registration certificates or recognition during the year.*
- *Authorities did not recognize any new religious organizations during the year. The GCRA registered approximately 70 local congregations in 2020, to include four Protestant local congregations, approximately 50 Catholic parishes, and 12 Cao Dai local congregations. Many unregistered religious groups continued to report that the registration of religious activities with local authorities remained difficult. Some well-established and recognized religious groups such as the Catholic Church reported challenges in their efforts to establish new parishes in the Northwest Highlands. Registered and unregistered religious groups continued to state that government agencies sometimes did not respond to registration applications or approval requests for religious activities within the stipulated time period, if at all, and often did not specify reasons for refusals as required by law. In other cases, religious groups were unaware they had been granted local approval of religious activities. Some local authorities reportedly requested documents or information beyond what was stipulated by law. Several religious leaders said authorities sometimes solicited bribes to facilitate approvals. Authorities attributed the delays and denials to the applicants' failure to complete forms correctly or provide complete information. Religious groups said the process of registering groups or notifying authorities of activities in new or remote locations was particularly difficult. Some religious groups reported that authorities urged them to register as affiliates of recognized religious groups instead of as new groups.*
- **Awaiting amendments:** *at year's end, the VBC was still awaiting the final results of a new approach, initiated in 2020, to register local congregations, in coordination with the GCRA. Unlike earlier applications, in which representatives of*

local congregations completed the relevant paperwork for local authorities in relative isolation, the VBC chief pastor completed multiple registration packages under his name for submission to the GCRA. The VBC said it submitted approximately 30-40 registration applications for local congregations in the Northwest Highlands in recent years under the old approach but was unable to verify the number of registration requests still pending.

- Evaluations
 - The imposition of a mandatory registration order is impermissible to RoRB standards.
 - The informational requirements requested as part of registration procedures are interpreted as possessing nefarious intent to restrict religious activities based on the human rights record of Vietnam.
 - The imposition of a preapproval policy onto religious groups is impermissible to RoRB standards.
 - The purpose of the GCRA is to impose control religious activity throughout Vietnam.

Law and policy on religion and belief

- Self-identification
 - **National identity documentation:** *there were reports that local authorities denied new ID applications in which applicants identified their religion and that authorities ignored applicants' expressed faith and labeled them "nonbelievers" or members of another religion. VBS, however, reported that despite initial difficulties, it had resolved its ID problems by coordinating with authorities and was able to provide the relevant documentation to its members.*
- Communal activity
 - **Foreign religious activity:** *there are separate provisions of the law that permit foreigners legally residing in the country to request permission to conduct religious activities, teach, attend*

local religious training, or preach in local religious institutions. The law requires religious organisations or citizens to receive government permission in advance of hosting or conducting any religious activities involving foreign organisations, foreign individuals, or travel abroad. Regulations also contain requirements for foreigners conducting religious activities within the country, including those involved in religious training, ordination, and leadership, to seek permission for their activities.

- **Hierarcy:** the importation of religious materials or devotional items into Vietnam is heavily restricted especially for items intended for propagational use. Because all publishers in the country must either be state-owned enterprises or public entities, the importation of religious texts by private companies is restricted, if not entirely prohibited. Any religious materials or devotional items sent to Vietnam will require approval by the relevant government authorities before being imported. The importation of religious goods for personal use is permitted but the MHA and other relevant government ministries may require preapproval before they can be successfully imported.
 - *The Church of Jesus Christ continued to report authorities permitted it to import sufficient copies of the Book of Mormon, although at year's end, the Church was still working with the GCRA to import additional faith-based periodicals.*
- **Land use:** *provincial and local authorities continued to exercise eminent domain over land belonging to individuals and religious organizations in the name of social and economic development projects. Authorities continued many projects that required the revocation of land rights and the demolition of properties of religious organizations or individuals across the country. Authorities reportedly did not intervene effectively in many land disputes that involved religious organizations or believers, and in most of these cases, the religious organizations or believers were unsuccessful in retaining land use rights. Such actions resulted in land disputes involving recognized, registered, and unregistered religious organizations.*

- **Pastoral services:** *religious organisations are allowed to conduct educational, health, charitable, and humanitarian activities in accordance with the law, but the law does not provide clarification as to which activities are permitted. The law provides prisoners access to religious counsel as well as religious materials, with conditions, while in detention. It reserves authority for the government to restrict the “assurance” of that right. Decree 162 states detainees may use religious documents that are legally published and circulated, in line with legal provisions on custody, detention, prison, and other types of confinement. Prisoner access to religious counsel and materials must not, however, affect the rights of others to freedom of religion and belief or non-belief or contravene other relevant laws. The decree states the Ministries of Public Security, Defense, and Labor, Invalids and Social Affairs shall be responsible for providing guidelines on the management of religious documents and the time and venue for the use of these documents.*
 - *Many ordained pastors conducted pastoral work, despite not having completed the paperwork mandated by law to be recognized as clergy by the government. For example, the ECVN reported only approximately one-fifth of its pastors had applied to be officially recognized by the government.*
 - *According to family members, unlike in previous years, prisoners, including Catholics Le Dinh Luong, Ho Duc Hoa, Nguyen Nang Tinh, and Protestant Nguyen Trung Ton, had access to the Bible and other religious materials.*
- **Places of worship:** *the constitution states the government owns and manages all land on behalf of the people. According to the law, land use by religious organisations must conform to the land law and its related decrees. The land law recognises that licensed religious institutions and schools may acquire land-use rights and be allocated or leased land. The law specifies religious institutions are eligible for state compensation if their land is seized under eminent domain. The law allows provincial-level people’s committees to seize land via eminent domain to facilitate the construction of religious facilities. Under the law, provincial-level people’s committees may grant land use certificates for a “long and stable term” to religious institutions if they have permission to operate, the land is dispute-free, and*

the land was not acquired via transfer or donation after July 1, 2004. Religious institutions are not permitted to exchange, transfer, lease, donate, or mortgage their land-use rights. In land disputes involving a religious institution, the chairperson of the provincial-level people's committee has authority to settle disputes. Parties may dispute the chairperson's decision by appealing to the Ministry of Natural Resources and Environment or filing a lawsuit in court. In practice, if a religious organisation has not obtained recognition, members of the congregation may acquire a land-use title individually.

- **Renovations:** the renovation or upgrade of facilities owned by religious groups requires notification to authorities, although it does not necessarily require a permit, depending on the extent of the renovation.
- Leaders of the unregistered Christian Duong Van Minh group reported local authorities in Ha Giang, Thai Nguyen, and Cao Bang Provinces no longer destroyed “Nha Don” structures built years ago for storing funeral-related items and were allowing the renovation of a small number of these structures. However, local authorities in parts of Tuyen Quang Province continued prohibiting and destroying these structures. The Duong Van Minh group, which the government considered either an “evil-way” religion or an “illegal organization,” reported local authorities monitored key members and stated that local police officials “visited” their residences from time to time or “invited” them to local authorities’ headquarters. Those who refused such “invitations” said they were not subjected to reprisals.
- From June to October 2021, independent Hoa Hao followers in An Giang reported that local authorities and state-recognized Hoa Hao Buddhist groups in Phu Tan District, An Giang Province, citing a need to build a new pagoda, advocated tearing down the 100-year-old An Hoa Tu Pagoda. That building is one of the first independent Hoa Hao pagodas built by Prophet Huynh Phu So, founder of the Hoa Hao religious tradition. Independent Hoa Hao followers opposed the pagoda’s demolition due to its religious importance; they proposed it be renovated instead. Plainclothes police reportedly assaulted independent Hoa Hao Buddhists who

tried to prevent the pagoda's demolition. The government temporarily halted demolition of the pagoda, and it remained intact at year's end.

- **Religious literature:** *publishing, producing, exporting, or importing religious texts must occur in accordance with laws and regulations related to publishing. Legislation requires all publishers be licensed public entities or state-owned enterprises. Publishers must receive prior government approval to publish all documents, including religious texts. By decree, only the Religious Publishing House may publish religious books. Any bookstore may sell legally published religious texts and other religious materials.*
 - *Although the law prohibited publishing all materials, including religious materials, without government approval, some private, unlicensed publishing houses continued to unofficially print and distribute religious texts without active government interference. Other licensed publishers printed books on religion. Publishers had permission to print the Bible in Vietnamese and other languages, including Chinese, Ede, Jarai, Banar, M'nong, H'mong, C'ho, and English. Other published texts included works pertaining to ancestor worship, Buddhism, Christianity, Islam, and Cao Dai.*
- **Unregistered or unrecognised religious activity:** *the law provides a separate process for unregistered, unrecognised religious groups to receive permission for specific religious activities by applying to the commune-level people's committee.*
 - **Procedure:** *an application should be sent in writing to the people's committee.*
 - **Regulatory interval:** *this application must be responded to within 20 working days of receipt.*
 - **Activities requiring preapproval:** *these activities include "belief activities" (defined as traditional communal practices of ancestor, hero, or folk worship); "belief festivals" held for the first time; the establishment, division, or merger of religious affiliates; the ordination, appointment, or assignment of religious administrators (or clergy with administrative authority); establishment of a religious*

training facility; conducting religious training classes; holding major religious congresses; organising religious events, preaching or evangelising outside of approved locations; traveling abroad to conduct religious activities or training; and joining a foreign religious organisation.

- **Religious training:** *some pastors of unregistered groups stated that authorities did not interfere with their clerical training, despite their lack of legal authorisation.*
- Penal code
 - **Forced conversion:** by law, forcing others to follow or renounce a religion or belief is prohibited (a law that could be easily misused to halt proselytism).
- Facilitation of religion or belief
 - **Ombudsmanship:** *the law states religious organisations and their affiliates, clergy, and believers may file complaints or civil and administrative lawsuits against government officials or agencies under the relevant laws and decrees. The law also states organisations and individuals have the right to bring civil lawsuits in court regarding the actions of religious groups or believers. There were no analogous provisions in previous laws.*
 - **Outreach:** *on February 22 2021, the Central Commission for Propaganda and Education of the Communist Party issued guidance on ethnic and religious issues. Among its key contents relating to religion was an affirmation of the state's respect for and guarantee of religious freedom that noted that religions are equal with each other and before the law. The guidance also stressed the state's determination to combat those who act against the Communist Party, the state, and "solidarity" under the cover of religion. Numerous state officials, the GCRA, Ministry of Information and Communication, Ministry of Culture, Sport and Tourism, Ministry of Education and Training, Vietnam Fatherland Front, local authorities, and others helped to disseminate the key messages of the guidance. In connection with issuing the guidance, state officials, state-run*

media, and pro-government websites highlighted the foundation and operation of “illegal religious groups” that, they said, conducted activities that went against well-established and well-recognized religions and what they called “fine national traditions.”

- **Religious literacy:** the government continued efforts to deepen knowledge about the LBR among government officials and religious adherents. Authorities also called for registered and recognized religious organizations to share publicly more information about their dogma and belief systems in an effort to persuade religious adherents to affiliate with established faith groups rather than with “new religious movements” or groups about which the government lacked information.

Social dimensions of RoRB

- **Catholics:** the Catholic Church reported that the authorities no longer recognized “sub-parishes,” as they had in the past. As a result, the Church was required to establish full parishes, a lengthy and challenging process, or to register local congregations; the authorities did not recognize anything in between. Under the old approach, sub-parish status gave a religious community more leeway than a local congregation on some issues. A local congregation did not have the right to submit paperwork for the construction of religious facilities or for religious practice, example, but a sub-parish could submit that paperwork. According to several Catholic bishops, parishes in remote areas or with majority ethnic minority populations continued to face difficulty registering with provincial authorities due to their inconsistent application of national laws. Catholic leaders reported that the most problematic regions were in the Central Highlands (Gia Lai, Dak Lak, Dak Nong, Kon Tum, and Lam Dong Provinces), and the Northwest Highlands, including Son La, Lao Cai, and Yen Bai Provinces.
- **Falun Gong:** several provincial-government, state-run, and pro-government websites continued referring to Falun Gong as an “evil-way religion” and an “extremist religious group.” Many pro-government websites associated Falun Gong with acts against the Communist Party and the state and with having a hostile political

agenda. Some accused Falun Gong of doing harm to traditional culture and disrupting the social order and public safety. During the year, local police in several provinces, including Hanoi, Yen Bai, Quang Binh, Can Tho, An Giang, Tien Giang, and Tra Vinh, disrupted gatherings of Falun Gong practitioners and confiscated their publications and other items. In a number of cases, local police summoned the practitioners to local police stations for interrogation or fined them for violating COVID-19-related restrictions. On July 7, local authorities of Tan Hung commune, Cai Be District, Tien Giang Province fined seven Falun Gong practitioners more than 50 million dong (\$2,200) for violating social distancing regulations when they were found gathering at the house of a practitioner. On September 29, local police of Tan Xa commune, Thach That District, Hanoi city summoned two Falun Gong practitioners for disseminating materials relating to the group. Local police confiscated nearly 170 publications and items relating to Falun Gong and required them to stop the dissemination of similar materials.

- **Protestants:** according to local religious leaders, Protestant groups also experienced authorities' inconsistent interpretation and enforcement of the law when attempting to register their local congregations. Local authorities in Dien Bien Province, for example, continued to deny the registration applications of an independent Pentecostal congregation in Noong Luong commune, Dien Bien District, Dien Bien Province, stating that the congregation was affiliated with an unrecognized religious group. The Pentecostal group's religious leader, however, said the law did not require a local congregation to be affiliated with a recognized organization to receive registration. The leader also noted that members had practiced their faith at the local congregation for nearly 30 years before filing registration applications in April 2017. Dien Bien authorities continued to deny registration of a group called Assembly of God of Vietnamese People (Hoi Thanh Phuc Am Ngu Tuan Nguoi Viet), reasoning that the applicant's dogma was indistinguishable from that of the recognized Assembly of God of Vietnam (Giao hoi Phuc Am Ngu Tuan Viet Nam).
- Religious leaders reported that the central authorities continued to deny applications for the religious operation of several Protestant groups— Vietnam Baptist Convention (VBC), United Presbyterian Church in Vietnam, and the Full Gospel Church of Vietnam led by

Pastor Ly Xuan Hoa. Religious freedom advocates stated that the determining factor as to whether local authorities approved registration applications was more closely linked to the religious groups' perspective on politics than on religious dogma. The GCRA continued to deny public access to pending registration actions.

- *The VBC reported authorities did not register new local congregations in Thanh Hoa, Hanoi, Hai Phong, Quang Ninh, Hai Duong, and the Northwest Highlands.*

Overview

- State atheism is in effect.
- The term “institutionalisation” used in Vietnamese legislation equates to that of legal registration; it being two-pronged and these two stages mandated as being at least five years apart in essence creates a restrictive procedure for registration; the first part of the process called “registration for religious operation” is exactly that and only that; gaining this first stage of registration does not permit the group to expand in the country but only to operate at a low-level capacity; the imposed five year gap gives the authorities time to determine whether the group has become “institutionalised” which essentially denotes whether the group is suitably controlled by the government or not; the second stage “recognition” does not equate to existential recognition as it is discussed in recognitionist theory as it instead denotes merely the completion of legal registration which is essentially split into two halves; obtaining “recognition” however does not indirectly provide some degree of existential recognition to the denomination or belief system to which the organisation is affiliated; however, what these registration procedures mean in reality is greatly reduced from how they are presented in legislation as even groups having received full recognition continue to face restriction.
- The rule of mandatory registration, particularly as this is imposed on all instances of religious activity, violates the Bielefeldt provision.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present terminally restrictive registration procedure and the body of laws and policies perpetuating the terminal conditions for RoRB in the country.
- Establish a reorganised recognition system that extends both existential recognition and legal registration to all belief systems.

Restriction tools implemented

- Censorship of religious materials is widespread, including heavy restrictions on their importation and distribution that make independent production of religious texts a criminal offence.
- Confinement restriction tool.
- Government interference in the internal affairs of religious organisations is widespread and deeply entrenched.
- Mandatory registration for all religious groups, including all instances of religious activity, oftentimes at both the state and local levels.
- Notification of authorities is also mandatory for all religious activities, including various internal procedures of religious organisations such as the appointment or dismissal of clergy.
- Restrictions are imposed on the degree to which foreigners or foreign religious organisations may conduct activities in the country.
- State atheism.
- The GCRA is established to maintain the legal framework set out to terminally restrict all forms of religious activity in the country and the registration process itself.

History of RoRB classification

- Vietnam has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Wales — Apathetic

RoRB and national identity

- The Welsh government proactively upholds the principle of freedom of religion and belief.
- Wales is a secular country within the sovereign state of the United Kingdom.
- English law on religious recognition is not applied in Wales meaning non-percolative recognition.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Wales.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Wales demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of BBOs in Wales as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Wales as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Wales is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of the penal code of Wales.
- Facilitation of religion or belief
 - **Ombudsmanship**: there is an instituted ombudsperson for the devolved administration of Wales within the United Kingdom.

Social dimensions of RoRB

- The Welsh government proactively upholds the principle of freedom of religion and belief.
- English law on religious recognition is not applied in Wales meaning non-percolative recognition.

Overview

- Non-existence of a recognition system; Wales is classified as apathetic although it is part of a sovereign state, the United Kingdom, that is classified as restrictive due to England's classification.

History of RoRB classification

- Wales has been classified Apathetic in the SRR since the first edition of the RoRB Index in 2021.

Wallis and Futuna Islands, Territory of the — Receptive

RoRB and national identity

- Non-percolative recognition is in effect for this French overseas collectivity which means that French law on religion and belief does not apply here although inspiration is still taken from French law.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Wallis and Futuna.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Wallis and Futuna demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - There is limited information on procedures for legal registration of BBOs in Wallis and Futuna as of this First Edition of *Recognition of Religion or Belief*.

Law and policy on religion and belief

- Self-identification

- There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Wallis and Futuna as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy**: the importation of religious materials or devotional items into Wallis and Futuna is permitted without restriction, both for personal and propagational use.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of the penal code of Wallis and Futuna.
- Facilitation of religion or belief
 - **Ombudsmanship**: the French ombudsperson is likely to hold jurisdiction in Wallis and Futuna due to it being part of Overseas France.

Social dimensions of RoRB

- Non-percolative recognition is in effect for this French overseas collectivity which means that French law on religion and belief does not apply here although inspiration is still taken from French law.

Overview

- Unstructured provisions for existential recognition and legal registration.

History of RoRB classification

- Wallis and Futuna has been classified Receptive in the SRR since the first edition of the RoRB Index in 2021.

Western Sahara (Sahrawi Arab Democratic Republic) — Censorious

RoRB and national identity

- Article 2 of the Sahrawi Arab Democratic Republic establishes Islam as the state religion although does not make specification as any particular denomination.
- The Constitution of Western Sahara makes a claim that no citizen shall be discriminated against based on their religion.
- Islam is also the state religion by way of Moroccan law.
- Moroccan law governs around 85% of the Western Sahara region. Moroccan laws pertaining to the registration of religious groups, their operations, and the application of relevant aspects of personal status law also apply.

Recognition law

- Structures and procedures for existential recognition
 - Due to continued Moroccan occupation of the territory, there are currently no procedures for the existential recognition of any other belief system, denomination or community other than Islam in Western Sahara.
- Evaluations
 - The lack of existential recognition in Western Sahara for any denomination other than Islam is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** there are no official procedure for legal registration of groups in Western Sahara.

- **Malregistration:** any registration procedures conducted by the Sahrawi government would not have jurisdiction across the entire Western Sahara.
- Evaluations
 - The imposition of a policy of non-registration is impermissible to RoRB standards.
 - Malregistration is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Western Sahara as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of non-Islamic religious materials or devotional items into Western Sahara for propagational use is prohibited based on the current ban on non-Muslim proselytism. Rules remain unclear as to the importation of non-Islamic religious goods for personal use except for the fact that it is illegal to carry bibles in Arabic in Western Sahara.
 - **Proselytism:** *Moroccan law penalises anyone who “employs enticements to undermine the faith” or convert a Muslim to another faith, and provides punishments of six months to three years’ imprisonment and a fine of 200 to 500 dirhams (\$21-\$52). Impeding or preventing one or more persons from worshipping or from attending worship services of any religion is punishable by six months to three years’ imprisonment and a fine of 200 to 500 dirhams (\$21-\$52). By law, all publicly funded educational institutions are required to teach Sunni Islam in accordance with the teachings of the Maliki-Ashari school of Sunni Islam.*

- According to GOV.UK, it is illegal to attempt to distribute any non-Islamic or evangelical literature, or to be involved in any such activity.
- Penal code
 - **Criticism of Islam:** *it is illegal to publicly criticise Islam. The Moroccan constitution and the law governing media prohibit any individual from criticising Islam on public platforms, such as in print or online media, or in public speeches. Such expressions are punishable by imprisonment for two years and a fine of 200,000 dirhams (\$20,800).*
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Western Sahara to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Christians:** representatives of Christian minority groups said fear of societal harassment, including ostracism by converts' families and social ridicule, were the main reasons leading them to practice their faith discreetly.
- **Muslims:** Moroccan authorities generally do not interfere with religious practices, though as in Morocco proper, mosques are closely monitored by authorities.

Overview

- The ongoing territorial dispute has made it impractical for mechanisms of religious recognition to be established that hold region-wide effect because 85% of the region is controlled by Morocco and the remaining 15% by the Polisario Front government.
- Moroccan exportation of its censorial laws on religion and belief means that the region is immediately classified as censorious.

- Therefore, the successful registration of a non-Islamic group in Morocco technically means that the group has registration in the Moroccan-controlled parts of the Western Sahara region.
- Until the conflict in Western Sahara between the Kingdom of Morocco and the Sahrawi Arab Democratic Republic (SADR) has been resolved, there won't exist opportunities for religious recognition that genuinely cover all parts of the region.

Positive elements

- Nil.

Recommendations

- Revoke the censorial Moroccan laws that have been imposed such as bans on proselytism, public expression of belief and conversion from Islam.
- Establish a system that extends opportunities for both existential recognition and legal registration to all belief systems.
- Remove all instances of the politicisation of religion and belief and of the registration procedures.

Restriction tools implemented

- Exportation of worst practice.
- False claim to freedom of religion or belief.
- Proselytism of Muslims is prohibited.
- Public expression of beliefs contrary to Islam are prohibited.
- Unstructure in the system exists in both territories.

History of RoRB classification

- Western Sahara has been classified Censorious in the SRR since the first edition of the RoRB Index in 2021.

Xinjiang Uygur Autonomous Region of the People's Republic of China — Terminal

RoRB and national identity

- The Constitution of the People's Republic of China makes a partial claim to freedom of religion or belief, a claim the government systematically infracts upon in practice.
- The People's Republic of China continues to self-identify as a Communist state that professes nationwide state atheism, a designation that also applies to the predominantly Muslim north-western Xinjiang Autonomous Region.
- The Islamic religiosity of this region does not correspond with the Chinese Communist Party's (CCP) version of China that it has worked to create since its establishment. It is for this reason that the Sinicisation of the region remains a centre of CCP policy regarding Xinjiang and other Autonomous Regions whose culture and religion do not correspond with Beijing's conception of what China is.

Recognition law

- Structures and procedures for existential recognition
 - The five religions recognised by the Chinese government also apply in Xinjiang; the five religions given existential recognition by the state include Buddhism, Catholicism, Islam, Protestantism, and Taoism.
- Evaluations
 - The recognition granted to these five religions by the state amounts to pseudo-recognition because despite these religions being recognised, their members continue to face unjust restrictions and their leaders either exiled or censored.

Registration law

- Structures and procedures of legal registration

- **Non-registration:** there are no separate registration procedures for religious groups in Xinjiang.
- **Preapproval:** authorities in Xinjiang have defined 26 religious activities, including some practices of Islam, Christianity, and Tibetan Buddhism, as illegal without government authorization.
- **Registration of clergy:** *on February 11 2021, Bitter Winter published an analysis of the SARA's "Administrative Measures for Religious Clergy," which entered into force on May 1. According to Bitter Winter, registration in the government database of government-approved clergy in the country was "complicated." Individuals who were not listed in the database but claimed to be clergy would be committing a crime. Individuals unable to obtain a "clergy card" would include anyone not belonging to one of the five officially recognized patriotic religious associations, including the Islamic Association of China. Bitter Winter stated individuals had to prove they "support[ed] the leadership of the Chinese Communist Party and support[ed] the socialist system." According to Bitter Winter, the regulations created "an "Orwellian system of surveillance, and strengthen[ed] the already strict control on all clergy."*
- *The State Administration of Religious Affairs (SARA) issued new regulations, effective May 1, entitled "Administrative Measures for Religious Clergy," that require all clergy to pledge allegiance to the PRC and socialism and that create a database of "religious personnel" to track their performance. Article 3 of the regulations states clergy "should love the motherland, support the leadership of the Chinese Communist Party, support the socialist system, abide by the constitution, laws, regulations, and rules, practice the core values of socialism, adhere to the principle of independent and self-administered religion in China, adhere to the direction of the Sinicisation of religion in China, and operate to maintain national unity, religious harmony, and social stability." Article 6 states, in part, clergy should "resist illegal religious activities and religious extremist ideology, and resist infiltration by foreign forces using religion." Article 41 states "entrance to religious*

places of worship should be regulated through strict gatekeeping, verification of identity, and registration.” The regulations also stipulate that authorities will hold religious organizations and institutions responsible for the behavior of individual religious clergy. Article 7 stipulates religious staff should “focus on improving their own quality, improving their cultural and moral literacy, studying the contents of doctrines and regulations that are conducive to social harmony, progress of the times, and health and civilization, and integrate [these values and practices] into preaching, and play a role in promoting the Sinicisation of religion in our country.”

- *To apply to become a cleric, applicants first need to submit an “Application Form for the Qualification of Islamic Clerics.” In addition, they must provide a certificate of education from an Islamic school, an education certificate from junior high school or above, and a physical examination certificate issued by a designated hospital (including items such as “mental history”). Applicants are also required to submit a household registration certificate and national identification card. The applicant must receive a letter of recommendation written by the Administration of Islamic Activity Sites where the applicant’s household registration is located and submit it to the Islamic Association of the province, autonomous region, or municipality after review and approval by the local Islamic Association.*

- Evaluations

- The imposition of a non-registration policy is impermissible to RoRB standards.
- To impose a preapproval policy onto 26 different religious activities is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification

- **Religious attire:** regulations in Xinjiang's capital Urumqi prohibit veils that cover the face, homeschooling children, and "abnormal beards." A separate regulation bans the practice of religion in government buildings and the wearing of clothes associated with "religious extremism." Similar regulations are in effect in other parts of Xinjiang.
- Communal activity
 - **Demolition of mosques:** *in April, the Global Times, a CCP-owned newspaper, quoted a spokesperson for the Xinjiang government's Information Office who stated, "There's no so-called forced demolition of mosques problem in Xinjiang." He stated the government was reconstructing or repairing mosques for the safety of worshippers. In May, Reuters reported officials in Xinjiang and Beijing denied that any religious sites in the region had been forcibly destroyed or restricted; the officials said some mosques were demolished while others were upgraded and expanded as part of "rural revitalisation." The report said journalists visited the region where they observed signs outside mosques stating local Muslims needed to register to enter the mosque, and officials banned citizens from outside the area, foreigners, and persons younger than the age of 18 from entry. Functioning mosques featured surveillance cameras and included Chinese flags and propaganda displays declaring loyalty to the CCP. During a series of visits to the region during the year, eyewitnesses observed most mosques were closed throughout the day. Local officials claimed these mosques were closed due to COVID-19 protocols, despite the region's reporting very low numbers of new cases during the year.*
 - **Hieronymy:** rules regarding the importation of religious materials or devotional items into Xinjiang are likely to be far stricter than those for other parts of Mainland China (except Tibet). It is likely that imports of religious goods will need to be approved by the UFD before they will be granted importation, especially if goods are intended for propagational rather than personal use. It is likely that any materials contravening the guidelines issued by the Propaganda Department of the CCP Central Committee will

be denied importation. Unregistered religious groups are not likely to have their imports accepted. Laws surrounding the distribution and publication of religious texts in effect mean that any religious item that does not entirely correspond to state-issued guidance will be prohibited from importation.

- **Proselytism and missionary activity:** no religious group is permitted to carry out any religious activities, including preaching, missionary work, proselytising, and ordaining clergy, without government approval.
 - **Religious education and religious instruction:** regional regulations stipulate no classes, scripture study groups, or religious studies courses may be offered by any group or institution without prior government approval.
 - **Religious literature:** regional regulations also ban editing, translation, publication, printing, reproduction, production, distribution, sale, and dissemination of religious publications and audiovisual products without authorization.
- Penal code
 - The significant concerns raised in the Chinese penal code regarding religious freedom and RoRB conditions apply even more so in the Xinjiang province.
 - Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Xinjiang to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- There is limited information about the social dimensions of RoRB in Xinjiang for this First Edition of *Recognition of Religion or Belief*.

Overview

- The Chinese Communist Party (CCP) is currently engaged in a disastrously sophisticated campaign against religious activity in the province of Xinjiang; widely reported have been its so-far successful attempts at Sinicising the ethnic peoples of the region, all of which is regarded as having been allowed by a systemic lack of legal protections for the Uighur Muslims and other minorities as well as caused by the CCP's exportation of worst practice on religion from the Chinese heartland to this outlying region.
- There is no genuine means of existential recognition nor legal registration in Xinjiang as any singular instance of government authorisation grants no particular rights nor does it guarantee that future religious activity of the same or similar kind will be validated to take place.

Positive elements

- Nil.

Recommendations

- Not without changes first made in the Chinese heartland will a reversal in these restrictive laws imposed in Xinjiang be practical but the consequences of what the CCP has done in interning innocent citizens into “re-education facilities” and in turning the Uighur society into a police state will likely be irreversible.

Restriction tools implemented

- Censorship of religious texts and every other aspect of religious text creation and possession is terminally restricted.
- Government authorisation of religious activity is absolute and otherwise unregistered activity is criminalised.
- Mandatory registration for religious groups.
- Private teaching of religion and the homeschooling of children is prohibited.
- Proselytism is terminally restricted as are preaching, missionary work or ordaining clergy.

- Strict prohibitions on religious expression have been put in place that specifically target Muslims.
- Weaponisation of the terms “extremist”, “terrorist” is widespread.

History of RoRB classification

- Xinjiang has been classified Terminal in the SRR since the first edition of the RoRB Index in 2021.

Yemen, Republic of — Terminal

RoRB and national identity

- The Constitution of Yemen makes an explicit claim to freedom of religion or belief although this right is not upheld in practice by the government and is systematically infringed upon.
- The Constitution of Yemen establishes Islam as the state religion although no specification is made as to a particular state denomination.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no procedures for the existential recognition of any other belief system, denomination or community other than Islam in Yemen.
- Evaluations
 - The lack of existential recognition in Yemen for any denomination other than Islam is a demonstration of the unbalanced and misused recognition system.

Registration law

- Structures and procedures of legal registration
 - **Non-registration:** there is no provision for the registration of religious groups.
 - **Malregistration:** the central government does not have the ability to administer registration in Houthi-controlled areas.
 - *The government exercised limited legal or administrative control in much of the country's territory throughout the year, which constrained its ability to enforce laws or address abuses of religious liberty committed by government or non-state actors in areas not under its control.*

- Evaluations
 - The imposition of a non-registration policy is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is insufficient information regarding self-identification in Yemen as it pertains to RoRB standards as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Hieronymy:** the importation of non-Islamic religious materials or devotional items into Yemen is restricted if not entirely prohibited, especially for propagational use. Rules surrounding the importation of religious goods for personal use remain unclear.
 - According to the FedEx Cross Border global lists, “any items offensive to Muslim culture” is prohibited from importation into Yemen which could easily be broadly interpreted as including non-Islamic religious texts and devotional items.
 - **Places of worship:** by law, the government must authorise construction of any new buildings. The law, however, does not mention places of worship specifically.
 - **Proselytism:** the law prohibits proselytising directed at Muslims.
 - **Religious conversion:** the criminal code states that “deliberate” and “insistent” denunciation of Islam or conversion from Islam to another religion is apostasy, a capital offence.
- Penal code

- **Criticism of religion:** the law prescribes up to three years' imprisonment for public "ridicule" of any religion and prescribes up to five years' imprisonment if the ridiculed religion is Islam.
- **Religious conversion:** the law allows those charged with apostasy three opportunities to repent; upon repentance, they are spared the death penalty.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Yemen to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Baha'is:** *members of the Baha'i community in the north have reported increased persecution under Houthi rule. In March 2020, Houthi officials ordered the release of six Baha'i men, one of whom had been arrested in 2013 and later sentenced to death; the five others had been among a group of 24 Baha'is arrested in 2017. All six were released and expelled from the country in July, but legal proceedings against the larger group arrested in 2017 apparently continued at year's end.*
- **Non-Muslims:** Yemen has few non-Muslim religious minorities; their rights have traditionally been respected in practice, though conversion from Islam and proselytising to Muslims is prohibited.
- **Religious minorities:** *the government publicly condemned Houthi persecution of minority religious groups. In January 2021, Minister of Information, Culture, and Tourism Muammar alEryani wrote on Twitter, "Iranian-backed Houthi militia continues to prosecute minorities in [the] illegal trial for 24 Baha'i community, including six of their leaders deported outside Yemen after detention and looting of their assets in flagrant violation of int[ernationa]l humanitarian law." In April, he issued a statement through the government's official news outlet Saba condemning Houthi persecution of Jews and*

Baha'is. In August, al-Eryani wrote, "Members of the Baha'i sect have been subjected to organised terrorism by Houthis militia," and told Saba the government condemned the Houthis for forcing out the last three Jewish families from the country and for the continued detention of Marhabi. He also accused the Houthis of undermining the country's social fabric and traditional values of coexistence.

- **Violence:** since the outbreak of the war in 2015, assassinations and other violent attacks on religious clerics have increased, and combatants on all sides have destroyed many religious buildings.

Overview

- State religion is Islam.
- There exists no recognition system in the country and therefore no procedures either for existential recognition or legal registration, thus curtailing all chances for any non-Islamic group to attain any kind of recognition or legal protection.
- The virtual non-existence of minorities indicates the repressive treatment of non-Islamic communities in the country and the overwhelming normativism that exists.
- Ongoing conflict in the country has undermined any efforts to try to establish religious freedom and other human rights protection in the country.

Positive elements

- Nil.

Recommendations

- Complete dismantlement of the present apparatus of laws restricting all forms of non-Islamic religious practice and belief; blasphemy, conversion and proselytism are all terminally restricted and normativism perpetuates these restrictions which means that more sophisticated means of religious recognition and

religious education should be established to resolve issues of normativism.

- Establish a recognition system for the country in order to provide existential recognition and legal registration to all belief systems and their derivatives.

Restriction tools implemented

- Ambiguous and subjective language is used throughout the legislation to halt forms of religion emerging through the non-existence of a recognition system and to restrict religious activity by providing no laws to protect it.
- Blasphemy laws are in effect with incremental prison sentences imposed depending on which religion is blasphemed against.
- Conversion from Islam is criminalised with capital punishment being the retribution if recantations are not made.
- Normativism is entrenched.
- Proselytism to Muslims is criminalised.
- Religion by default (specifically Islam by default).
- State religion.

History of RoRB classification

- Yemen was originally classified Ambiguous-Terminal in the 2021 RoRB Index.
- However, due to the reduced use of the Ambiguous classification for the 2022 RoRB Index, Yemen is now just reclassified Terminal.

Zambia, Republic of — Restrictive

RoRB and national identity

- The Zambian Constitution makes a claim to freedom of religion or belief, a claim that is generally upheld in practice by the government but with some infractions.
- The Zambian Constitution establishes Christianity as the state religion.

Recognition law

- Structures and procedures for existential recognition
 - Religious recognition in Zambia is based on a system of umbrella bodies or mother bodies which are organisations that essentially sponsor individual religious institutions and denominations for them to legally operate. Essentially, religious groups cannot legally exist in Zambia without affiliating with one of the existent mother bodies.
 - **Mother bodies:** *the government did not register any new mother bodies during the year. A moratorium imposed in 2019 on the registration of new churches and religious groups continued to remain in force pending adoption of a new policy on minimum standards for churches and religious groups that would be included in the government's framework for registering churches. Religious leaders stated the clearance procedures for foreign clergy entering the country remained expensive, laborious, and bureaucratic, impeding some activities of religious groups. According to the ZCCB, immigration fees for a temporary permit for missionary priests, sisters, and lay volunteers increased to 21,210 kwacha (\$1,300) from the previous 3,230 kwacha (\$190) and the renewal permit increased to 18,550 kwacha (\$1,000) from the previous 2,200 kwacha (\$130). In April, the ZCCB urged the government to consider lowering immigration fees for organizations that benefit the public, such as the Catholic Church, particularly for*

missionaries “who endure hardships as they provide pastoral care to many needy Zambians in the country’s rural areas.”

- There are currently 14 mother bodies: seven Christian and seven non-Christian. These are the Zambia Conference of Catholic Bishops (ZCCB), Council of Churches in Zambia (CCZ), Evangelical Fellowship of Zambia (EFZ), Independent Churches of Zambia, Apostles Council of Churches, Seventh-day Adventist Church, Christian Missions in Many Lands, Islamic Supreme Council of Zambia, Hindu Association of Zambia, Guru Nanak Council of Zambia, Jewish Board of Deputies Zambia, Rastafarians, Council for Zambia Jewry, and Baha’i Faith in Zambia. The largest are ZCCB, EFZ, and CCZ.
- **State religion:** *the new government reaffirmed the country’s declaration as a Christian nation. Speaking at a service at the Cathedral of the Holy Cross in Lusaka on September 19, President Hichilema said the country would remain a Christian nation and the government would strive to ensure the declaration existed not only in words but also in deeds.*
- Evaluations
 - The system of mother bodies established is impermissible to RoRB standards

Registration law

- Structures and procedures of legal registration
 - **Mandatory registration:** the government mandates that religious groups register with it to operate legally in close coordination with the Ministry of National Guidance and Religious Affairs (MNGRA).
 - **Procedure:** the Minister of Home Affairs handles the registration of all religious groups and entities. The Office of the Chief Registrar of Societies then conducts a preliminary assessment of the applicant’s authenticity and religious purpose as well as a security check.

- **Qualifications:** a unique name (**nominal restriction**), a recommendation letter from its mother body, and a document of the clergy's professional qualifications from a "recognised and reputable" theological school, but the government provides no specific definition or list of qualifying institutions.
 - **Informational requirements:** the government has not disclosed informational requirements for registered status at the present time.
 - **Registration fee:** a one-time fee of 3,000 kwacha (\$180) to establish registration and 100 kwacha (\$6) every first quarter of the year to retain it.
 - **Labour and employment laws:** they are also required to adhere to laws pertaining to labor, employment practices, and criminal conduct.
 - **Deregistration:** the Minister of Home Affairs has the legal authority to revoke the registration of religious groups. Grounds for revocation include failure to pay registration fees or a finding by the Minister that the group has professed purposes or has taken or intends to take actions that run counter to the interests of "peace, welfare, or good order." Groups may appeal this finding in the courts.
 - **Unregistration:** the government has the authority to levy fines and prison sentences of up to seven years against unregistered religious groups and their members.
- Evaluations
 - The imposition of a mandatory registration order is impermissible to RoRB standards.
 - The fining and criminalisation of unregistered religious groups is impermissible to RoRB standards.
 - The misuse of deregistration procedures by the government against groups that it happens not to favour is impermissible to RoRB standards.
 - The imposition of the initial registration fee that exceeds the \$100 threshold set down in RoRB standards is impermissible although the recurring fee which is well below half the original fee is permissible.

- The qualifications set down by the government for registrant religious groups to fulfil are impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Zimbabwe as of the First Edition of *Recognition of Religion or Belief*.
- Communal activity
 - **Foreign and missionary religious activity:** *the MNGRA must approve the entry into the country of foreign missionaries or clergy. The ministry, in collaboration with the Immigration Department, may approve or deny permits and visas for travellers coming into the country for religious activities. For any foreign clergy entering the country, religious groups must provide their proof of legal registration as a religious group in the country, a recommendation letter from their aligned umbrella body, and clearance from clergy in the country of origin. This documentation is presented to the Ministry of Home Affairs, Immigration Department, and the MNGRA.*
 - **Hieronymy:** the importation of religious materials or devotional items into Zambia is permitted without restriction, both for personal and propagational use. The law remains unclear about the legality of unregistered religious groups importing their texts and items.
 - The current ban of practicing witchcraft may mean that certain books interpreted as advocating for or propagating knowledge about witchcraft and related neopagan religious activities may be prohibited from importation.
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Zimbabwe's penal code.

- Facilitation of religion or belief
 - **Dedicated ministry:** *the Ministry of National Guidance and Religious Affairs (MNGRA) provides oversight on all matters relating to national guidance and religious affairs in the country. The ministry's functions include strengthening the declaration of the country as a Christian nation, developing self-regulatory frameworks for church and religious umbrella groups, promoting interdenominational dialogue, preserving religious heritage sites, and coordinating public religious celebrations, such as the commemoration of the declaration as a Christian nation (December 29), the National Day of Prayer (October 18), and World Prayer Day (first Friday in March). The ministry's mandate also includes ensuring Christian values are reflected in government, education, family, media, arts and entertainment, and business as well as promoting church-state, interdenominational, and interfaith dialogue. The MNGRA may make a recommendation to the tax authority for consideration of tax exemptions for religious groups. The recommendation is based on a group's long-term record and profile of community social work. The law provides for privileged tax treatment for public benefit organisations, including religious groups, provided they are established for the promotion of religion, education, and relief of poverty or other distress.*
 - **Ombudsmanship:** *there is currently no ombudsman office established in Zambia to investigate cases of human rights violation in the country.*
 - **State funding:** *in February 2021, the government released 50 million kwacha (\$3 million) as a COVID19 relief package for churches, religious organizations, and other faith-based organizations. Then minister of National Guidance and Religious Affairs Sumaili explained that the fund was aimed at "stimulating the economy and ensuring sustenance of the church and its activities." The Catholic bishops conference refused to access the relief fund. In an April 4 statement, ZCCB president Bishop George Lungu reported that Catholic bishops had "taken a stand to respectfully decline receiving or accessing the funds," citing several reasons. Lungu said the timing of the*

initiative left room for speculation the funds were meant for vote buying. He stated further that the source of the funds lacked transparency. Lungu, the Bishop of Chipata in addition to his position of ZCCB president, directed all Catholic institutions in his diocese not to access the funds. He said that based on the principles of social justice and preferential options for the poor, it would be prudent for the government to allocate the funds to other needy areas. "A better and long-lasting empowerment for the Church would be to exempt it from paying high fees on immigration visas, as well as other forms of taxes," Bishop Lungu added. According to media, then president Lungu was displeased with the Catholic bishops' stance and met privately with Bishop Lungu in April to understand the reasons for the Church's refusal to accept the government's church empowerment fund.

Social dimensions of RoRB

- **Christians:** the government has been criticized for increasingly engaging in activities that blur the separation of church and state, including backing an annual National Day of Prayer, building an interdenominational church, and attempting to include "Christian morality" in the constitution through the proposed amendments that failed in the parliament in October 2020.
- **Witchcraft:** under the law, naming or accusing a person as being a witch or wizard is a criminal offence punishable either by fine or imprisonment of up to one year, while those who profess knowledge of witchcraft may face up to two years' imprisonment. The law has an exception for those who report such allegations to police.

Overview

- State religion is Christianity.
- Recognition and registration are differentiated in Zambia but not in a way that is preferable to recognitionist thought; a system of partial recognition is in effect whereby even if a belief system, denomination or religious organisation reaches successful

registration, this does not equate to the existential recognition bestowed to Christianity through the constitution.

- State-approved mother bodies or umbrella organisations control religious registration and religious activity as belonging to one of these umbrella bodies is contingent on successful registration; this means that a group cannot register in Zambia if it is affiliated with a belief system not represented by one of the 14 mother bodies; this has come to detrimentally effect members of NRMs.
- Therefore, registration of a group that does not affiliate with any of the mother bodies means that its preregistration is marred with attempting to establish a new mother body to which it may affiliate, a procedure given no guidance in law as to how to complete.

Positive elements

- Nil.

Recommendations

- Dismantlement of the present apparatus of laws restricting the registration of religious groups.
- Establish a recognition agency to manage the recognition system in a capacity independent of government; this in order for the country to qualify for being dynamic.
- The “mother body” structure can remain in place but clear and non-onerous procedures must be put in place for alternative belief systems to establish their own mother bodies.

Restriction tools implemented

- Mandatory registration is in effect.
- Mother bodies are used to restrict religious groups affiliating with certain belief systems.
- Preregistration is in effect by the fact that a group may only register if it is part of a broader mother body.
- Relatively high registration fee is imposed; further restrictive is the yearly reregistration fee needed to retain registration.
- Religious favouritism.

- Some subjective language is used in the legislation which puts restrictions in place and give the government a degree of scope to restrict even reasonable religious activity.
- State religion.
- The ambiguity surrounding the role and level of authority of the MNGRA is concerning for the freedoms of religious groups, especially those which are not Christian.
- Unregistration may lead to imprisonment and/or fines for the religious leaders and groups as well as for members themselves.

History of RoRB classification

- Zambia has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Zimbabwe, Republic of — Restrictive

RoRB and national identity

- The Constitution of Zimbabwe makes a claim to freedom of religion or belief, a claim that the government generally upholds but with some infractions in practice.
- The Republic of Zimbabwe is a secular state.
- The government extends state privilege to Christianity and Christian groups over non-Christian groups.

Recognition law

- Structures and procedures for existential recognition
 - There are currently no distinct procedures for the existential recognition of belief systems or their communities in Zimbabwe.
- Evaluations
 - The lack of existential recognition for belief systems and their communities in Zimbabwe demonstrates there to be an issue of the amalgamation of recognition and registration in the country.

Registration law

- Structures and procedures of legal registration
 - **Stipulatory registration:** the government only mandates that religious groups register with it if religious groups operate or intend to operate schools or medical facilities.
 - **Procedure:** religious groups operating schools must apply to the Ministry of Primary and Secondary Education while the Ministry of Health and Child Care deals with the registration of religious groups operating medical facilities.

- **Registration benefits:** eligibility for tax exemptions and duty-free privileges both for the registered religious group as well as for the schools and medical facilities it runs.
- **Procedure:** the Zimbabwe Revenue Authority (ZIMRA) is the government body that handles requests for such exemptions and also grants them. A group is required to bring a letter of approval from a church umbrella organisation confirming the group's status as a religious group. Examples of approval letter-granting organisations include the ZCBC, ZCC, and the Apostolic Christian Council of Zimbabwe. ZIMRA generally grants a certificate of tax-exempt status within two to three days.
- **International NGO registration procedure:** sign a memorandum of understanding (MOU) with the government defining the NGO's activities and zones of geographic activity. The law stipulates international NGOs "shall not digress into programs that are not specified in the MOU as agreed upon by line ministries and registered by the Registrar."
- **Local NGO requirements:** local NGOs, including faith-based NGOs, have no legal requirements to sign an MOU with the government but "shall, prior to their registration, notify the local authorities of their intended operations."
- **Deregistration:** the law gives the government the right to "deregister any private voluntary organisation that fails to comply with its conditions of registration".
- **Proposed amendments to registration law:** *officials published proposed amendments to the existing PVO Act in the government Gazette on November 5 2021, with the goal, according to its memorandum, of addressing recommendations from the Financial Action Task Force to improve the government's anti-money laundering and counterterrorism financing regime, streamlining administrative procedures to allow for efficient regulation and administration of PVOs, and preventing PVOs from undertaking political lobbying. If passed, members of civil society stated, the amendments would extend the definition of PVO to more NGOs, including faith-based organizations if their charitable activities extended beyond religious work. Faith-based organizations are currently exempt*

from PVO Act requirements as trusts, but under the proposed amendments, the Minister of Public Service, Labor, and Social Welfare could designate organizations that were exempt during the year. In addition, the Registrar of PVOs, who was also the Director of Social Welfare acting in an interim capacity until an appointment was made, could serve trusts with a notice requiring them to swear they would not collect contributions from the public or outside the country, or to register as PVOs. According to civil society representatives, the amendments would also increase reporting requirements for PVOs, impose vague and potentially arbitrary registration requirements that could limit legitimate human rights work, criminalise work perceived to support or work against any political party or candidate, set civil and criminal penalties for lack of compliance, and allow the government to suspend board members and replace them with government-appointed trustees who could control a PVO's funding and operations, with few limitations. Civil society representatives and the religious community criticized the bill for limiting rights of assembly and expression and potentially limiting or eliminating groups' – including religious groups' – ability to provide much needed assistance to citizens. In December, four UN special rapporteurs issued an open letter to President Mnangagwa expressing concern that the amendments would “have grave consequences for the exercise of civil and political rights,” including the freedom of religion or belief. By year's end, public parliamentary debate on the bill had not begun.

- Evaluations
 - The imposition of a stipulatory registration policy in Zimbabwe is permissible to RoRB standards as long as stipulations made do not including making registration a prerequisite for the free and legal conduct of “basic religious activities” as defined by RoRB standards.
 - The misuse of deregistration procedures is impermissible to RoRB standards.

Law and policy on religion and belief

- Self-identification
 - There is nothing of particular concern to RoRB standards when it comes to the topic of self-identification in Zimbabwe as of the First Edition of *Recognition of Religion or Belief*.

- Communal activity
 - **Broadcasting:** *the government continued to enforce a 2018 ban on all radio and state-run television programs advertising prophets and traditional healing, for example selling “tickets to heaven” or a traditional cure for HIV/AIDS. Pastor Walter Magaya, however, continued to use his online platform to promote traditional and faith healing.*
 - *The absence of radio licenses, many faith-based communities broadcast on social media platforms. These platforms include the Shona-language Catholic Radio Chiedza and FEBA Radio, both on Facebook. The country’s most popular social media personality, Harare-based Mufti Menk, had 7.9 million Twitter followers, most of whom resided outside of the country. Religious leaders, however, said traditional radio would reach greater numbers at lower costs. Some religious communities also provided internet to rural communities to expand the reach of their ministry, provide access to services, and support early warning systems for disaster-prone locales.*
 - **Non-response:** *according to media, the Broadcasting Authority of Zimbabwe (BAZ) did not approve licensing applications pending for more than two decades from the Jesuits (Society of Jesus) and Catholic dioceses. No church-based broadcasters were included among the 17 radio broadcast licenses awarded since December 2020, although church leaders indicated they participated in some new community and university radio stations’ shows. ZCBC representatives said that in the past two years, its members had shifted from requesting national licenses to community-based licenses. The BAZ stated no legal provision existed allowing it to award licenses to communities of interest, such as religious groups.*

- **Hierony:** the importation of religious materials or devotional items into Zimbabwe is permitted without restriction, both for personal and propagational use.
 - According to the FedEx Cross Border global lists, “communistic material” is prohibited from importation into Zimbabwe.
- **Politicisation of religion:** *according to local newspaper NewsDay, the Apostolic Johane Masowe WechiShanu WeAfrica group reportedly offered to help rally voters for the ZANUPF party in exchange for official affiliate status. The newspaper said ZANU-PF’s acting commissar indicated the group would have to oppose homosexuality and same-sex marriage as necessary preconditions to gain official affiliate status.*
- Penal code
 - There is nothing of particular concern to RoRB standards in the present version of Zimbabwe’s penal code.
- Facilitation of religion or belief
 - **Ombudsmanship:** there is currently no ombudsman office established in Zimbabwe to investigate cases of human rights violation in the country.

Social dimensions of RoRB

- **Humanists:** *in September 2021, the Humanist Society of Zimbabwe (HAZ) reported that the government denied its application to register as a nonprofit company without a stated reason for its action. Representatives said bias against nonreligious individuals likely contributed to the government’s decision. The HAZ was formed in 2017 to advocate for the interests of humanists and nonreligious individuals.*

Overview

- Recognition and registration are amalgamated rather than ideally differentiated; a focus is placed on the latter as legal registration with few to no means for existential recognition; legal registration does not entail tax-exemption as that status must be applied for separately through ZIMRA with separate registration requirements.
- A similar system of umbrella organisations or mother bodies exists in Zimbabwe as in Zambia but with much less diversity in comparison.
- The ongoing political instability in the country somewhat undermines the gains made in the field of religious freedom.
- Whether religious groups conducting humanitarian or NGO-style activities must follow the same registration procedures as NGOs remains unclear.

Positive elements

- Freedom of religion or belief is generally upheld but not broadly upheld by the government in practice; this is typically based, however, on the stipulation that members of religious groups do not express political views controversial to the government.
- Horizontal recognition is in effect.

Recommendations

- Establish a reorganised recognition system that has the capacity to provide both existential recognition and legal registration.
- The umbrella body structure can remain as long as it is no longer used as a means of restriction and therefore only on the stipulation that it is expanded to include all belief systems to ensure that more diversity is allowed in the country.
- Revoke the dual registration policy and the misuse of broad grounds for deregistration against unfavoured religious groups.
- To become dynamic, establish a recognition agency independent of the government that manages the established recognition system.

Restriction tools implemented

- Ambiguity persists in the legislation regarding proselytism, conversion and other aspects of religious activity.
- Stipulatory registration.
- The use of the umbrella body as a restriction tool is the primary reason for Zimbabwe's classification as restrictive rather than apathetic.
- Unstructure exists within the present system that has led to a lack of provisions for existential recognition.

History of RoRB classification

- Zimbabwe has been classified Restrictive in the SRR since the first edition of the RoRB Index in 2021.

Part 3: Glossary, resources and other works

Glossary of recognition of religion or belief

Affirmation – state advocacy for a certain belief system, especially its support through financial and legal means.

Annualisation – a government's decision to make a certain procedure of registration, typically a fee or filling of documents, subject to renewal once a year or else registration or recognition is revoked.

Apparatus of recognition – a set of policies, laws and mechanisms at the disposal of a government for its recognising or disrecognising of any kind of manifestation of religion or belief.

Appropriate regulation – state acts of controlling religious or belief activity that are sufficiently justified, hence they do not violate freedom of religion or belief.

Belief identity – the religious, spiritual or philosophical beliefs of a person as they relate to or come to form that individual's sense of identity.

Existential recognition – the state's bestowal of recognised status on an entity for its very existence, not including any legal protections; this type of recognition is grantable to belief systems, denominations and their related communities rather than national or local religious organisation that may hold legal personality; existential recognition is also likely to have legal repercussions; contrasted with registration.

Facilitationism – the combination of an accommodationist and cooperationist approach to state-religion relations based on the state's proactive enrichment of the religious and philosophical aspects of the lives of citizens.

Facilitation of religion or belief – the state process of cultivating a diverse landscape of religious and philosophical belief and practice among the public.

Inappropriate regulation – unjust state acts of controlling religious or belief activity that lead to violations of freedom of religion or belief.

Justification tool – a type of narrative tool that presents one or more justifications for government restrictions of religious or belief activity.

Legal entity status – a religious organisation’s recognition in law as granted through a process of state registration.

Levels of recognition – a framework devised to split the bestowal of religious recognition into five types; the systemic; the individual, the communal, the institutional, the parochial.

Macro-level restriction – a type of restriction on religious or belief activity that is universal, is applied to all belief systems, organisations and their communities.

Mediationism – an approach to state recognition of religion or belief that entails the establishment of an intermediary agency to handle affairs of recognition and registration; the degree of that agency’s authority, autonomy and accountability may vary considerable.

Micro-level restriction – a type of restriction that is imposed only on a certain belief system, organisation or community.

Narrative tool – a type of restriction tool that justifies a government’s restrictions of religious or belief activity based on an interwoven narrative; such a narrative may also be used by other religious groups to subjugate another group.

Percolative recognition – a form of recognition in a dependent territory that is bestowed automatically as a result of a religion or group’s recognition in the territory’s mother country; opposite is non-percolative recognition.

Protection tool – a type of law, policy, or theory that protects against restrictions on religious or belief activity.

Reduction tool – a law, policy, activity or theory that involves the reduction of existent restrictions on religious and belief activity.

Recognition – the legal, social and cultural acknowledgement or identification of any kind of manifestation of religion or belief, either by the state or by the public.

Recognition agency – a type of regulatory agency instituted to oversee and monitor the running of a country's recognition system; such an agency is ideally autonomous from government, authoritative in its declarations and implementations, as well as accountable for its actions.

Recognition establishment – a state's act of instituting an official system for recognising and registering different kinds of manifestations of religion or belief.

Recognitionism – a multifaceted theory and approach to freedom of religion or belief that places an emphasis on the value and powers of recognition, that is primarily state recognition of different manifestations of religion or belief and how this comes to effect social recognition of the same to reduce issues proposed as caused by a lack of mutual recognition of differing beliefs.

Recognition law – the body of state laws and policies established to regulate recognition of religion or belief in a country though oftentimes this leads to restriction of religious activity; also called registration law or association law.

Recognition system – regarded collectively those state mechanisms for recognising and registering different kinds of religious and belief activity.

Registration – the process by which a religious organisation, whether national or local, receives recognition from the state in law and as a result, acquires legal protection; also called legal recognition; deregistration, misregistration and registration are processes related to this form of recognition.

Regulation of religion or belief – state limitations on the exercise of religion or belief that are regarded by independent experts and human rights standards as reasonable limits.

Religious recognition – the body of activities that either bestows or denies acknowledgement to any type of manifestation of religion or belief; also called recognition of religion or belief.

Restriction tool – a type of state mechanism for restricting religious or belief activity in any form.

Abbreviations

BBO: belief-based organisation (to encompass religious, spiritual or philosophical organisations)

CDHRI: Cairo Declaration on Human Rights in Islam

CEDAW: Convention on the Elimination of All Forms of Discrimination Against Women

CFR: Charter of Fundamental Rights of the European Union

CRCL: Convention on the Rights of the Child

CRPD: Convention on the Rights of Persons with Disabilities

DoRI: Dissemination of religious information

ECHR: European Convention on Human Rights

FoRB: Freedom of religion or belief

GBoB: Group based on belief

GRD: Government-based religious discrimination

ICCPR: International Covenant on Civil and Political Rights

ICERD: International Convention on the Elimination of Racial Discrimination

ICESCR: International Covenant on Economic, Social and Cultural Rights

RFI: Religious Freedom Institute

RFSRB: Religious Freedom & State Recognition of Belief

RoRB: Recognition of religion or belief

RSPL: Religious, spiritual, or philosophical literature

SME: Subject-matter expert

UN: United Nations

UDHR: Universal Declaration of Human Rights

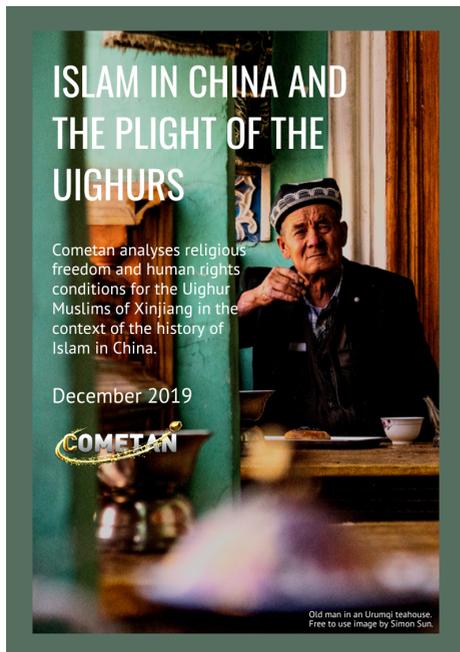
UNDRIP: Declaration on the Rights of Indigenous Peoples

USCIRF: United States Commission for International Religious Freedom

Resources on RoRB

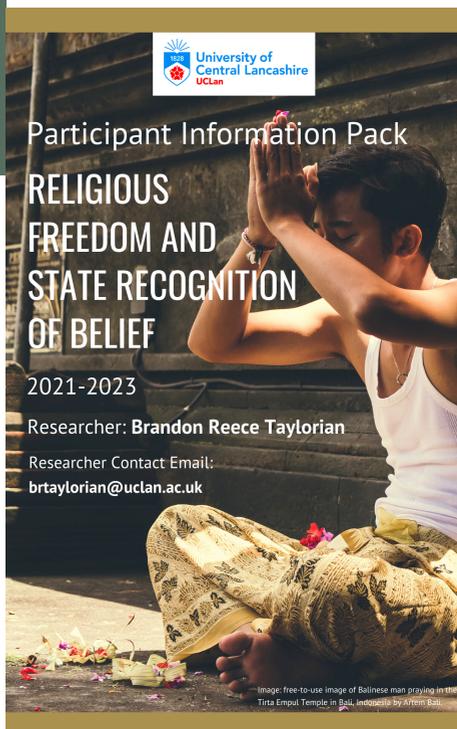
- Cometan.org – Specialist in Freedom of Religion or Belief: <https://www.cometan.org/freedom-of-religion-specialist>
- Guidelines on the Legal Personality of Religious or Belief Communities: <https://www.osce.org/odihr/139046>
- International Religious Freedom Reports: <https://www.state.gov/international-religious-freedom-reports/>
- OSCE/ODIHR launches guidelines on registration and recognition of religious or belief communities: <https://www.osce.org/odihr/139051>
- Recognition of Religion or Belief (RoRB) | Cometan.org: <https://www.cometan.org/recognition-of-religion-or-belief>
- Religious and belief communities need legal recognition, say participants at OSCE human rights conference: <https://www.osce.org/odihr/94647>
- The Religious Recognition Project Official Page: <https://www.cometan.org/rorb>
- UK Statement to the OSCE on Freedom of Religion or Belief: <https://www.gov.uk/government/news/uk-statement-to-the-osce-on-freedom-of-religion-or-belief>
- What are the criteria for religious recognition?: <https://journals.sagepub.com/doi/full/10.1177/1468796821989754>

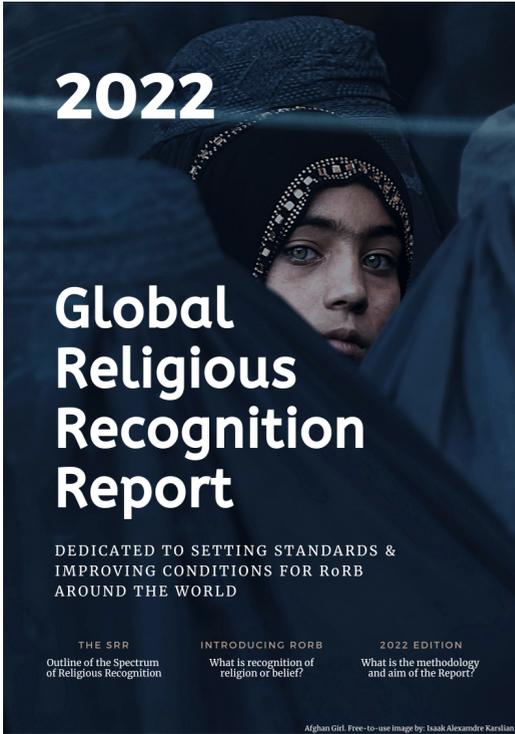
Other works



Islam in China and the Plight of the Uighurs by Cometan (2019).

Participant Information Pack for Religious Freedom and State Recognition of Belief (2021).





2022

Global Religious Recognition Report

DEDICATED TO SETTING STANDARDS & IMPROVING CONDITIONS FOR RoRB AROUND THE WORLD

THE SRR

Outline of the Spectrum of Religious Recognition

INTRODUCING RoRB

What is recognition of religion or belief?

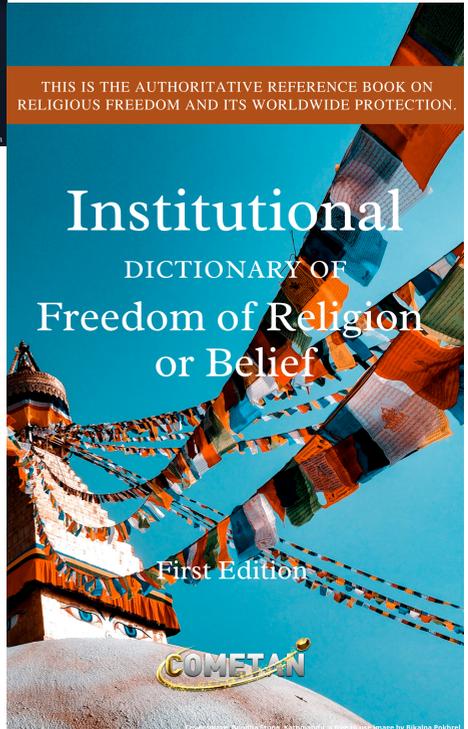
2022 EDITION

What is the methodology and aim of the Report?

Afghan Girl. Free-to-use image by: Isak Alexandre Karilian

2022 Global Religious Recognition Report by Cometan (2022)

The Institutional Dictionary of Freedom of Religion or Belief by Cometan (2021)



THIS IS THE AUTHORITATIVE REFERENCE BOOK ON RELIGIOUS FREEDOM AND ITS WORLDWIDE PROTECTION.

Institutional Dictionary of Freedom of Religion or Belief

First Edition

COMETAN

Prayer flags. Free-to-use image by: Bikalpa Pukhrel